

00165869

B: 486 P: 845 Fee \$0.00  
Connie Hansen, Millard Recorder Page 1 of 13  
05/14/2008 11:49:43 AM By UT STATE GOVERNOR



**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 2nd Patch Well Road; County Road Number: MC6036; State Geographic Information Database (SGID) Road Identification Number: RD143730. Total road length is 0.57 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.

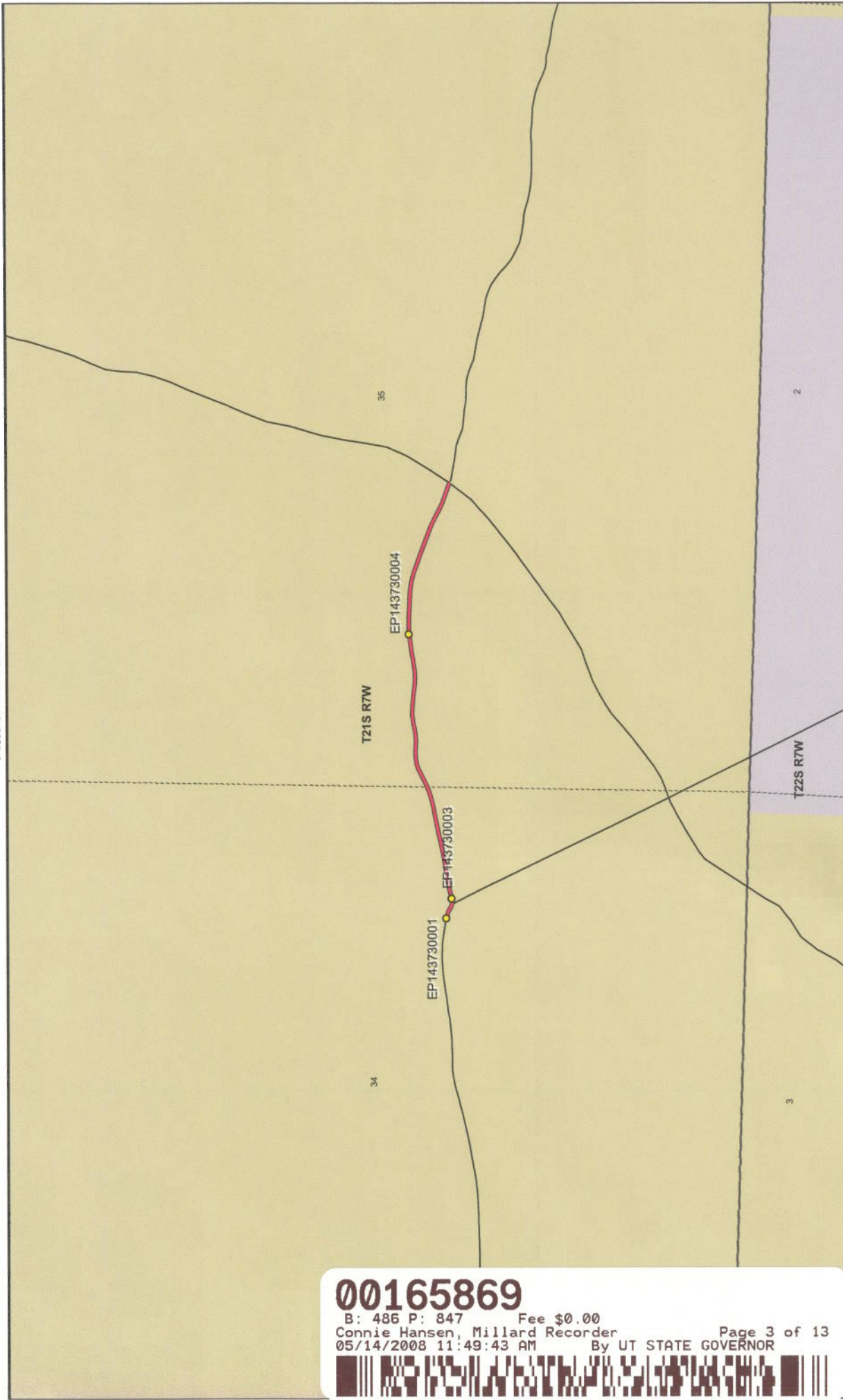
Dated this 23<sup>rd</sup> day of April, 2008.



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

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Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Nov 24, 2006

### 2nd Patch Well Road - Millard County SGID RD\_ID RD143730

<b>Land Ownership Categories</b>	<b>Transportation Network</b>
<ul style="list-style-type: none"> <li>BLM</li> <li>Private</li> <li>SITLA, State Trust Land</li> <li>USFS, National Forest</li> <li>State Parks and Recreation</li> <li>Tribal, Indian Reservation</li> <li>NPS, National Park</li> </ul>	<ul style="list-style-type: none"> <li>2nd Patch Well Road</li> <li>Other Roads</li> <li>Title V, Issued Or Under Consideration By BLM Or County</li> <li>Photo Event Point</li> <li>Section = 1 Mile</li> </ul>

<ul style="list-style-type: none"> <li>Wilderness</li> <li>UDWR Wildlife Reserve</li> <li>DOD, Military</li> <li>State Sovereign Land</li> <li>National Recreation Area</li> <li>USFWS, Natl. Wildlife Refuge</li> </ul>
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1:10,606  
1 inch equals 0.2 miles

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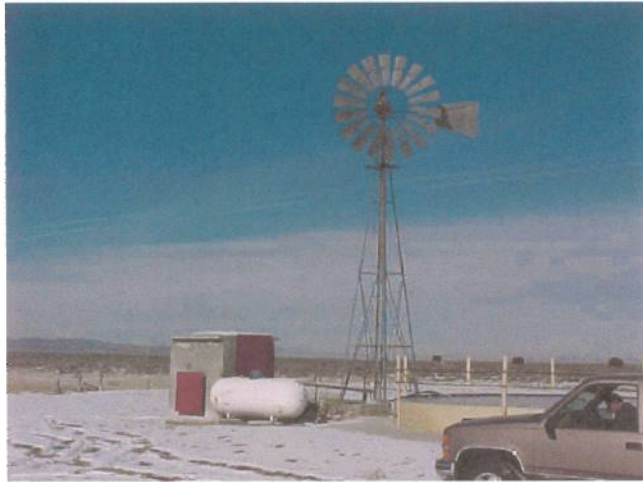
Attachment 2



EP143730001



EP143730004



EP143730003

EP000000000

EP000000000

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2nd Patch Well Road - Millard County  
SGID RD\_ID RD143730

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
November 24, 2006



### Attachment 3

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

**Popular Name: 2nd Patch Well Road**

**County: Millard**

**County Road Number: MC6036**

**State Geographic Information Database (SGID) Road Identification Number: RD143730.**

**Total Road Length: 0.57 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 56 minutes 32.99 seconds North Latitude and -112 degrees 37 minutes 09.82 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,322,021.7 feet and Y = 6,785,544.0 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 56 minutes 33.25 seconds North Latitude and -112 degrees 36 minutes 33.21 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,324,914.7 feet and Y = 6,785,533.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 21 South Range 7 West, Section(s) 34,35, Salt Lake Base & Meridian  
See Attachment 1 above for a cartographic depiction of the course of this road.

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

**Popular Name: 2nd Patch Well Road**  
**County: Millard**  
**County Road Number: MC6036**  
**State Geographic Information Database (SGID) Road Identification Number: RD143730.**  
**Total Road Length: 0.57 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>RD143730</b>	<b>001</b>	<b>BLM</b>	<b>0.57 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>0.57</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.

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# Attachment 5

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**AFFIDAVIT OF JOHN LARSEN  
2<sup>ND</sup> PATCH WELL ROAD  
MILLARD COUNTY, UTAH  
ROAD NUMBER MC6036**

State of Utah                    )  
  : ss  
County of Millard                )

JOHN LARSEN, 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 forty-six years. I have been an employee of the Millard County Road Department since June 1980 to 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 2<sup>nd</sup> Patch Well Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in 2006 when I last observed it. Attached is a Millard County map showing 2<sup>nd</sup> Patch Well 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 to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by various means, including cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily, weather permitting for more than ten continuous years prior to 1976, and is presently used daily, weather permitting.

5. Throughout the time period from the early 1960s to the present, I have used the

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road myself for the following uses: hunting, camping, gathering fire wood, 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, livestock operations, farming, 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 1900 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

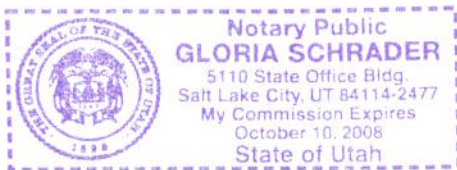
8. Prior to 1976, I observed the graded surface of the road and have personally graded the road since 1980.

DATED this 4 day of December, 2006.

  
\_\_\_\_\_  
JOHN LARSEN

SUBSCRIBED AND SWORN to before me this 4th day of December, 2006.

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



**ROAD = MC6036  
2ND PATCH WELL ROAD**

*Squidike*

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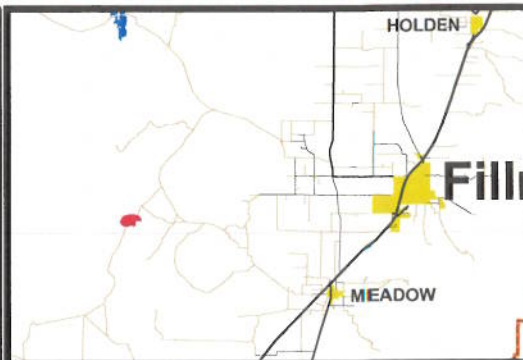
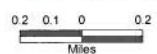
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# MILLARD COUNTY

 B Class Road of Interest

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



**AFFIDAVIT OF DEAN LARSEN  
2<sup>ND</sup> PATCH WELL ROAD  
MILLARD COUNTY, UTAH  
ROAD NUMBER MC6036**

State of Utah                                 )  
  : ss.  
County of Millard                         )

DEAN LARSEN, 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 Holden, Millard County, Utah. I have lived in Millard County for forty-six years.

2. I have traveled and am familiar with a road in Millard County known as the 2<sup>nd</sup> Patch Well Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in the late 1990s when I last observed it. Attached is a Millard County map showing 2<sup>nd</sup> Patch Well 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 to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to the late 1990s. Throughout this time period I have observed travel on the road by various means, including cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily, weather permitting for more than ten continuous years prior to 1976, and was so used through the late 1990s.

5. Throughout the time period from the early 1960s to the late 1990s, I have used the road myself for the following uses: hunting, camping, gathering fire wood, and recreation.

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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, livestock operations, farming, trapping, tourism, government access, hiking and sightseeing.

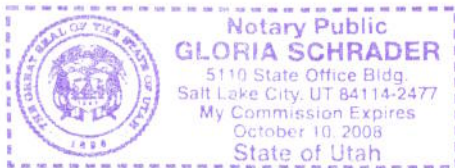
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1900 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of maintenance/construction activities on the road prior to 1976: I have personally observed the graded surface of the road.

DATED this 4 day of December, 2006.

Dean Larsen  
DEAN LARSEN

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



Gloria Schrader  
NOTARY PUBLIC

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**ROAD = MC6036  
2ND PATCH WELL ROAD**

*Squidike*

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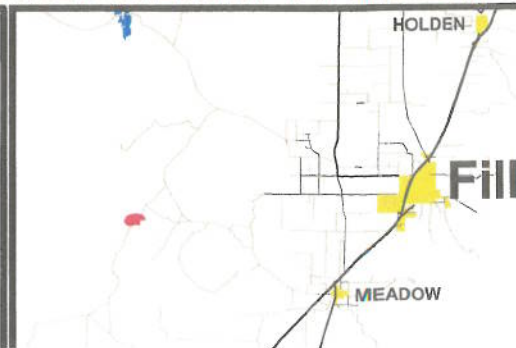
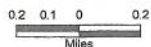
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# MILLARD COUNTY

— B Class Road of Interest

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



## Appendix A to Attachment 4

**Popular Name: 2nd Patch Well Road**

**County: Millard**

**County Road Number: MC6036**

**State Geographic Information Database (SGID) Road Identification Number: RD143730.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.57 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 21 South Range 7 West, Section(s) 34,35, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (2nd Patch Well Road)-- Segment 001 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 38 degrees 56 minutes 32.99 seconds North Latitude and -112 degrees 37 minutes 09.82 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,322,021.7 feet and Y = 6,785,544.0 feet; thence the following courses along the said road center line:

thence South 78 Degrees 59 Minutes 27 Seconds East 5 feet  
thence South 78 Degrees 21 Minutes 24 Seconds East 17.4 feet  
thence South 68 Degrees 05 Minutes 00 Seconds East 25.2 feet  
thence South 61 Degrees 10 Minutes 00 Seconds East 22.9 feet  
thence South 65 Degrees 17 Minutes 02 Seconds East 21.7 feet  
thence South 74 Degrees 46 Minutes 36 Seconds East 6.1 feet  
thence South 79 Degrees 45 Minutes 42 Seconds East 14.4 feet  
thence North 86 Degrees 07 Minutes 21 Seconds East 21 feet  
thence North 82 Degrees 59 Minutes 21 Seconds East 5.6 feet  
thence North 73 Degrees 05 Minutes 31 Seconds East 19.5 feet  
thence North 71 Degrees 49 Minutes 13 Seconds East 10.7 feet

thence North 74 Degrees 10 Minutes 29 Seconds East 6.1 feet  
 thence North 72 Degrees 02 Minutes 56 Seconds East 7.6 feet  
 thence North 70 Degrees 36 Minutes 19 Seconds East 9 feet  
 thence North 76 Degrees 42 Minutes 15 Seconds East 13.1 feet  
 thence North 77 Degrees 46 Minutes 10 Seconds East 23.8 feet  
 thence North 81 Degrees 10 Minutes 05 Seconds East 33.2 feet  
 thence North 80 Degrees 14 Minutes 12 Seconds East 37.9 feet  
 thence North 80 Degrees 23 Minutes 49 Seconds East 38.6 feet  
 thence North 80 Degrees 53 Minutes 10 Seconds East 42.8 feet  
 thence North 78 Degrees 57 Minutes 11 Seconds East 45.8 feet  
 thence North 77 Degrees 52 Minutes 08 Seconds East 49.6 feet  
 thence North 78 Degrees 11 Minutes 06 Seconds East 54.3 feet  
 thence North 76 Degrees 53 Minutes 41 Seconds East 51.8 feet  
 thence North 77 Degrees 30 Minutes 27 Seconds East 54.4 feet  
 thence North 78 Degrees 19 Minutes 32 Seconds East 58.2 feet  
 thence North 78 Degrees 19 Minutes 26 Seconds East 56.6 feet  
 thence North 77 Degrees 10 Minutes 12 Seconds East 54.5 feet  
 thence North 73 Degrees 13 Minutes 53 Seconds East 54.4 feet  
 thence North 67 Degrees 35 Minutes 22 Seconds East 11.3 feet  
 thence North 68 Degrees 37 Minutes 48 Seconds East 42.9 feet  
 thence North 63 Degrees 37 Minutes 50 Seconds East 50.8 feet  
 thence North 61 Degrees 39 Minutes 15 Seconds East 39.8 feet  
 thence North 60 Degrees 38 Minutes 39 Seconds East 13.5 feet  
 thence North 67 Degrees 44 Minutes 18 Seconds East 43.9 feet  
 thence North 81 Degrees 05 Minutes 00 Seconds East 54.8 feet  
 thence South 87 Degrees 41 Minutes 54 Seconds East 50.6 feet  
 thence South 87 Degrees 31 Minutes 30 Seconds East 54.2 feet  
 thence North 82 Degrees 22 Minutes 37 Seconds East 59.2 feet  
 thence North 77 Degrees 53 Minutes 30 Seconds East 59.3 feet  
 thence North 83 Degrees 03 Minutes 59 Seconds East 56.8 feet  
 thence South 87 Degrees 47 Minutes 02 Seconds East 59.8 feet  
 thence South 84 Degrees 35 Minutes 25 Seconds East 59.4 feet  
 thence South 83 Degrees 34 Minutes 21 Seconds East 58.8 feet  
 thence South 86 Degrees 01 Minutes 41 Seconds East 57.3 feet  
 thence North 86 Degrees 57 Minutes 22 Seconds East 54.9 feet  
 thence North 82 Degrees 20 Minutes 47 Seconds East 51.3 feet  
 thence North 80 Degrees 06 Minutes 40 Seconds East 49.3 feet  
 thence North 79 Degrees 54 Minutes 59 Seconds East 38.6 feet  
 thence North 80 Degrees 30 Minutes 36 Seconds East 22.6 feet  
 thence North 79 Degrees 52 Minutes 46 Seconds East 17.3 feet  
 thence North 82 Degrees 29 Minutes 04 Seconds East 26.1 feet  
 thence North 82 Degrees 11 Minutes 12 Seconds East 30.1 feet  
 thence North 83 Degrees 21 Minutes 31 Seconds East 14.9 feet  
 thence North 88 Degrees 01 Minutes 50 Seconds East 33.8 feet  
 thence North 89 Degrees 41 Minutes 56 Seconds East 42 feet  
 thence South 89 Degrees 03 Minutes 20 Seconds East 45.3 feet  
 thence South 87 Degrees 29 Minutes 54 Seconds East 47 feet  
 thence South 88 Degrees 31 Minutes 20 Seconds East 52.9 feet  
 thence South 87 Degrees 25 Minutes 21 Seconds East 58.8 feet

thence South 83 Degrees 43 Minutes 08 Seconds East 60.1 feet  
thence South 75 Degrees 12 Minutes 44 Seconds East 69.3 feet  
thence South 70 Degrees 33 Minutes 37 Seconds East 72.9 feet  
thence South 69 Degrees 29 Minutes 59 Seconds East 62.8 feet  
thence South 70 Degrees 11 Minutes 03 Seconds East 60.1 feet  
thence South 70 Degrees 08 Minutes 48 Seconds East 65.7 feet  
thence South 69 Degrees 46 Minutes 43 Seconds East 65.5 feet  
thence South 64 Degrees 40 Minutes 15 Seconds East 63 feet  
thence South 62 Degrees 32 Minutes 33 Seconds East 56.4 feet  
thence South 65 Degrees 39 Minutes 01 Seconds East 52.7 feet  
thence South 67 Degrees 40 Minutes 52 Seconds East 51.2 feet  
thence South 72 Degrees 16 Minutes 34 Seconds East 43.5 feet  
thence South 70 Degrees 51 Minutes 39 Seconds East 29.6 feet  
thence South 67 Degrees 20 Minutes 14 Seconds East 21 feet more or less to **the ending point**

**at:** 38 degrees 56 minutes 33.25 seconds North Latitude and -112 degrees 36 minutes 33.21 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,324,914.7 feet and Y = 6,785,533.6 feet.