

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

Ent 416125 Bk A571 Pg 540  
Date: 17-JUN-2009 11:12AM  
Fee: None  
Filed By: CC  
CAROLYNE MADSEN, Recorder  
DUCHESE COUNTY CORPORATION  
For: 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Duchesne County as it pertains to the highway located in Duchesne County known as Two Track Road; County Road Number: 522; State Geographic Information Database (SGID) Road Identification Number: RD070036. Total road length is 1.87 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 JUNE, 2009.

By the Governor's Designee

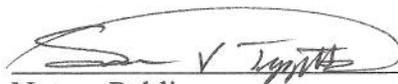
  
\_\_\_\_\_  
John Harja

**CERTIFICATION**

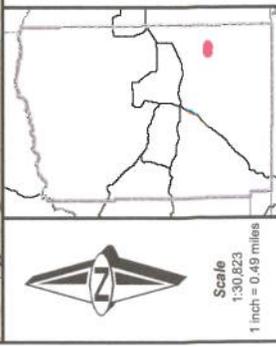
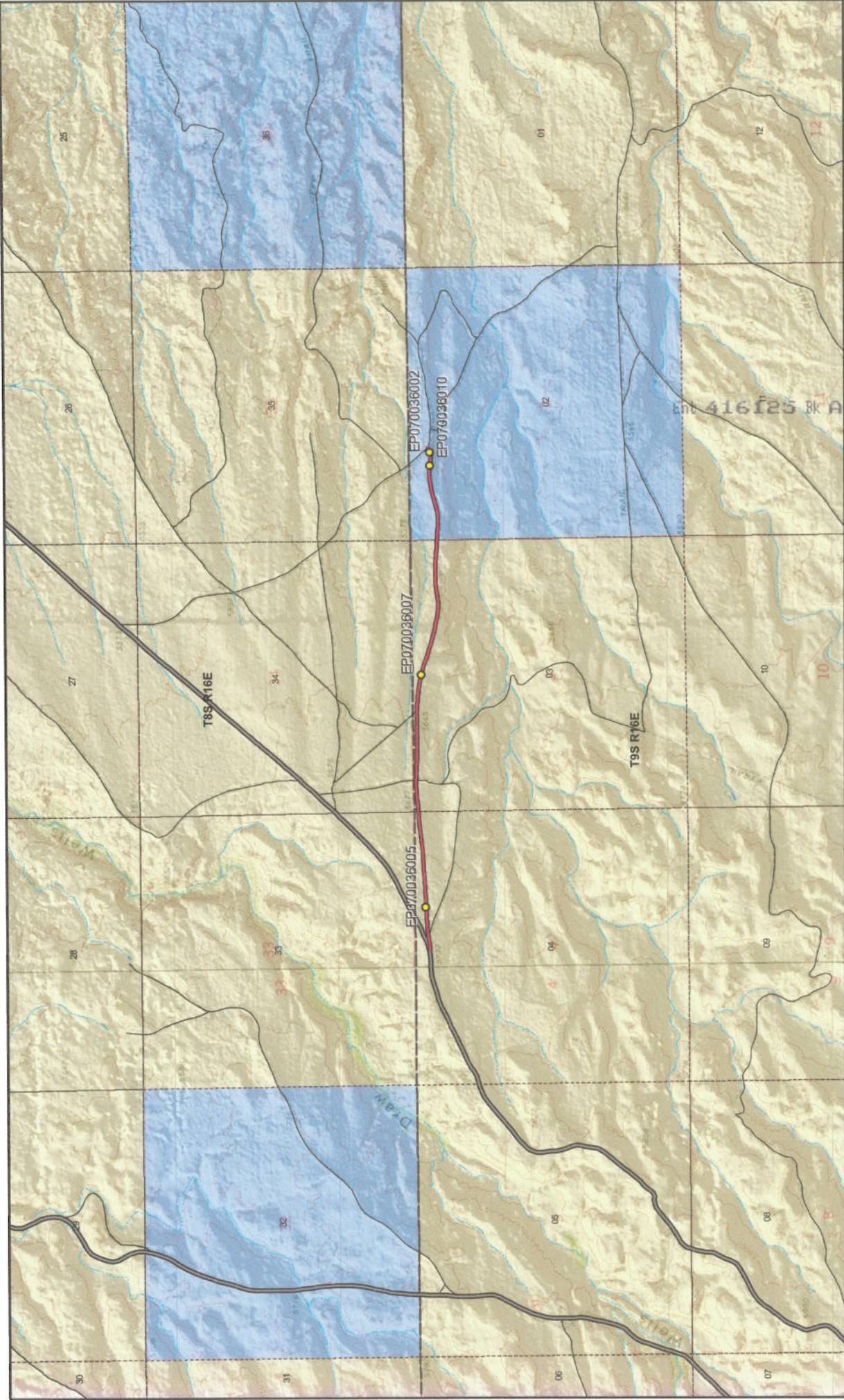
State of Utah                    )  
  : ss  
County of Salt Lake         )

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<sup>th</sup> day of JUNE, 2009.

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





Scale  
1:30,823  
1 inch = 0.49 miles

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- UDWR Wildlife Reserve
- Tribal
- Wilderness

**Misc**

- Photo Event Point
- Section = 1 Mile

**Transportation Network**

- Two Track Road
- Title V: Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads

**Two Track Road - Duchesne County**  
**SGID RD\_ID RD070036 CO\_UNIQUE 522**

Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Dec 04, 2008



EP070036002



EP070036005



EP070036007



EP070036010

EP000000000

Ent 416125 Bk A0571 Pg 0543

EP000000000

**Two Track Road - Duchesne County  
SGID RD\_ID RD070036**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
January 28, 2009



## Attachment 3

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

**Popular Name: Two Track Road**

**County: Duchesne**

**County Road Number: 522**

**State Geographic Information Database (SGID) Road Identification Number: RD070036.**

**Total Road Length: 1.87 miles more or less.**

**Beginning at a point** on the road centerline located at 40 degrees 03 minutes 58.97 seconds North Latitude and -110 degrees 07 minutes 28.53 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,025,330.9 feet and Y = 7,195,863.0 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 40 degrees 03 minutes 57.92 seconds North Latitude and -110 degrees 05 minutes 22.83 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,035,103.5 feet and Y = 7,195,908.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 9 South Range 16 East, Section(s) 2,3,4, 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: Two Track Road**

**County: Duchesne**

**County Road Number: 522**

**State Geographic Information Database (SGID) Road Identification Number: RD070036.**

**Total Road Length: 1.87 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>RD070036</b>	<b>001</b>	<b>BLM</b>	<b>1.52 Miles</b>	<b>A</b>
<b>RD070036</b>	<b>002</b>	<b>ST</b>	<b>0.35 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>1.87</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 LEON FILLINGIM**  
**TWO TRACK ROAD**  
**DUCHESNE COUNTY, UTAH**  
**DUCHESNE COUNTY D ROAD 522**

State of Utah            )  
                                  : ss.  
County of Duchesne    )

I, LEON FILLINGIM, testify and declare under oath as follows:

1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on May 21, 1938, in Vernal, Uintah County, Utah. I have lived in Duchesne County all of my life. I supervised the maintenance of Roads in Duchesne county as Superintendent of the County Road Department from 1988 to 1996. I was also a road grader operator from 1964 to 1988. During the time of my employment with Duchesne county I used heavy machinery to construct and grade roads in the summer and to open snowbound roads in the winter.

2. I have traveled and am familiar with Two Track Road, Duchesne County Road 522 and the land it traverses.

3. I took the following steps to verify that the road I refer to in this affidavit as Two Track Road and Duchesne County Road 522 (the " Road") are the same road:

a. I examined a large Duchesne County map depicting the Road in relation to other roads, intersections and landmarks. I observed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.

b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the road I refer to herein.

c. I viewed ground photography and verified that it accurately depicts the Road I refer to in this affidavit.

4. I personally traveled the Road from the early 1940s and continuing through 1976 until 2006, ("the Time Period of My Experience"). It is the reputation in the community that the Road was traveled as early as the early 1900s, prior to my earliest recollection.

5. When I last traveled and observed the Road in 2006, it followed the same route as in the early 1940s when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled daily. Based upon my observation during the Time Period of My Experience, the road was continuously used as a public thoroughfare by members of the public for public purposes whenever it was necessary and convenient for them to do so and I have never known the use of the Road to have been interrupted by any means.

7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and oil truck and I have observed others from the general public travel the road by the same means plus ATVs, livestock vehicles and stock watering trucks.

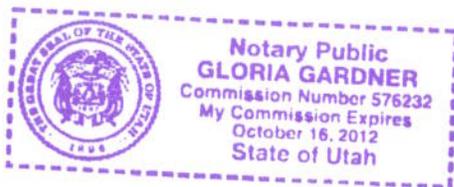
8. During the Time Period of My Experience I have personally used the Road for hunting, oil hauling and rock hounding and I have observed others from the general public using the Road for the same purposes, plus livestock operations and oil and gas exploration.

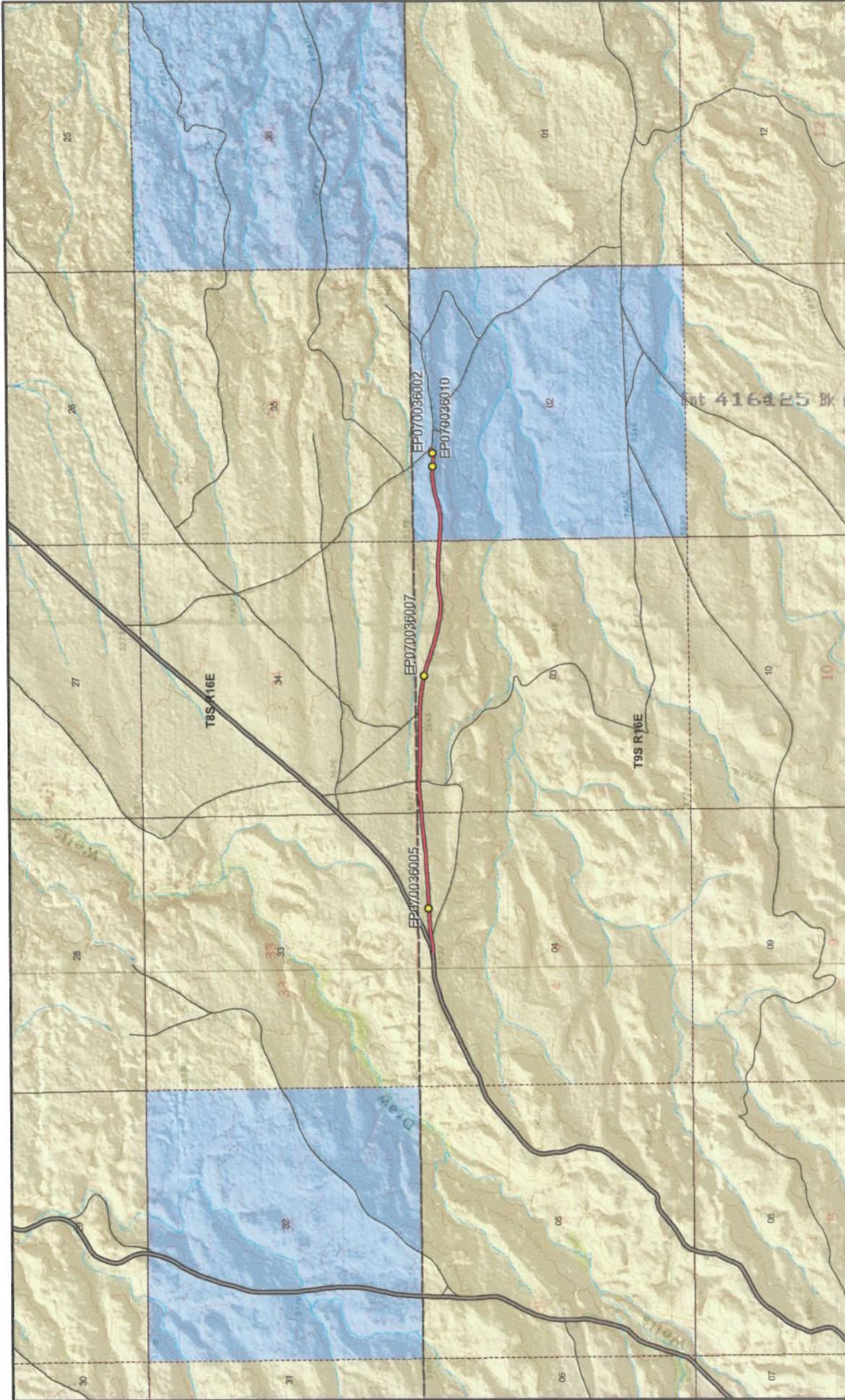
DATED this 19 day of December, 2008.

Leon Fillingim  
LEON FILLINGIM

SUBSCRIBED AND SWORN to before me this 19th day of December, 2008.

Gloria Gardner  
NOTARY PUBLIC





**Two Track Road - Duchesne County**  
**SGID RD\_ID RD070036 CO\_UNIQUE 522**

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- UDWR Wildlife Reserve
- Tribal
- Wilderness

**Misc**

- Photo Event Point
- Section = 1 Mile

**Transportation Network**

- Two Track Road
- Title V: Issued Or Under Consideration By BLM Or County
- County/B Road
- State / U.S. Highway
- Other Roads

Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Dec 04, 2008

Scale  
1:30,823  
1 inch = 0.49 miles

Attachment 1

SGID Road ID Number RD\_ID: RD070036

Page 1 of 1

**AFFIDAVIT OF JAMES L. BROWN**  
**TWO TRACK ROAD**  
**DUCHESNE COUNTY, UTAH**  
**DUCHESNE COUNTY ROAD 522**

State of Utah            )  
                                  ): ss.  
County of Duchesne    )

I, JAMES L. BROWN, testify and declare under oath as follows:

1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on May 10, 1942, in Evanston, Wyoming. I have lived in Duchesne County since 1970. I did seasonal work for the BLM and Forest Service in Duchesne County from 1965 to 1970.

2. I have traveled and am familiar with Two Track Road, Duchesne County Road 522, and the land it traverses.

3. I took the following steps to verify that the Road I refer to in this affidavit and Two Track Road (the “ Road”) are the same road:

a. I examined a large Duchesne County map depicting the Road in relation to other roads, intersections and landmarks. I observed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.

b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the road I refer to herein.

c. I examined ground photos depicting the road and surrounding area and verified that the Road is accurately depicted in the photos and is the Road I refer to herein.

4. I have personally traveled the Road from 1965 through 1976 and continuing until 2004, (“the Time Period of My Experience”). It is the reputation in the community that the Road has been traveled as early as the late 1800s and early 1900s by livestock men.

5. When I last traveled and observed the Road in 2004, it followed the same route as in 1965, when I first traveled and observed it. Portions of the road have been improved by oil companies including minor deviations from the original route.

6. During the Time Period of My Experience the Road has been traveled daily on the parts that are well maintained and seasonally on other portions, weather permitting. Based upon my observation during the Time Period of My Experience, the Road was continuously used as a public thoroughfare by members of the public for public purposes whenever it was necessary and convenient for them to do so and I have never known the use of the road to have been interrupted by any means.

7. During the Time Period of My Experience I have personally traveled the Road by horseback, pick up truck and have observed others traveling the road in pick up trucks, ATVs, and oil and gas vehicles.

8. During the Time Period of My Experience I have personally used the Road for livestock operations, work with the NRCS (Natural Resource Conservation Service) and BLM, hunting and have observed others use the Road for the same purposes, plus and oil and gas service and recreation.

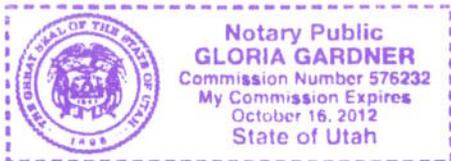
9. Prior to 1976, I observed evidence of road maintenance and improvements on portions of the road.

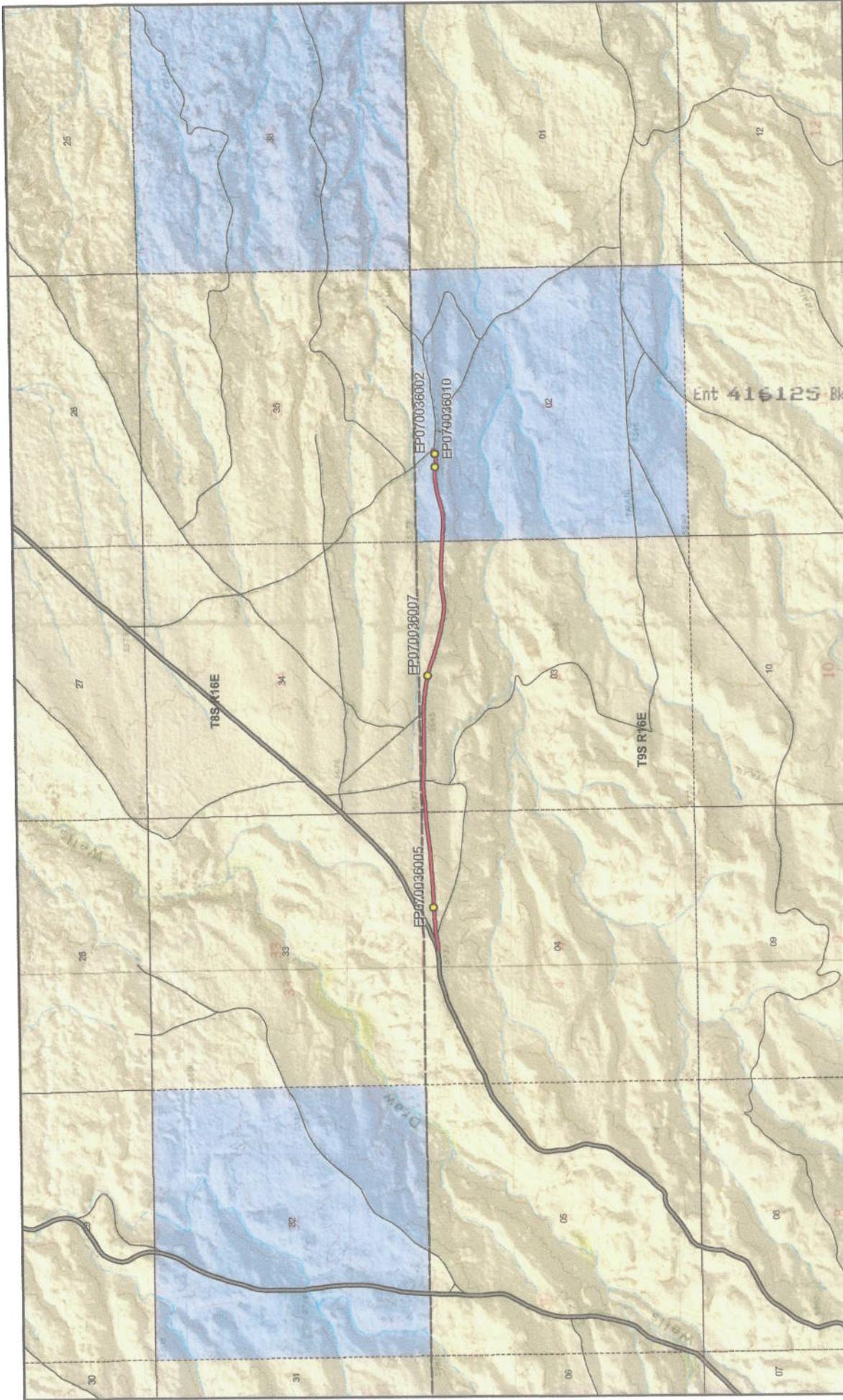
DATED this 19<sup>th</sup> day of December, 2008.

James L. Brown  
JAMES L. BROWN

SUBSCRIBED AND SWORN to before me this 19<sup>th</sup> day of December, 2008.

Gloria Gardner  
NOTARY PUBLIC





Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Dec 04, 2008

UTAH  
 AGRC

Ent 416125 Bk A0571 Pg 0552

**Two Track Road - Duchesne County**  
**SGID RD\_ID RD070036 CO\_UNIQUE 522**

<b>Land Ownership Categories</b>	<b>Misc</b>
BLM	Photo Event Point
Private	Section = 1 Mile
SITLA, State Trust Land	
USFS, National Forest	
State Parks and Recreation	
UDWR Wildlife Reserve	
Tribal	
Wilderness	

<b>Transportation Network</b>
Two Track Road
Title V: Issued Or Under Consideration By BLM Or County
County B Road
State / U.S. Highway
Other Roads

**Scale**  
 1:50,000  
 1 inch = 0.49 miles

**Attachment 1**

## Appendix A to Attachment 4

**Popular Name: Two Track Road**

**County: Duchesne**

**County Road Number: 522**

**State Geographic Information Database (SGID) Road Identification Number: RD070036.**

**Road-Segment Number: 001**

**Road-Segment Length: 1.52 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 9 South Range 16 East, Section(s) 3,4, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Two Track 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 40 degrees 03 minutes 58.97 seconds North Latitude and -110 degrees 07 minutes 28.53 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,025,330.9 feet and Y = 7,195,863.0 feet; thence the following courses along the said road center line:

thence North 87 Degrees 37 Minutes 07 Seconds East	10.9 feet
thence North 89 Degrees 43 Minutes 39 Seconds East	41.6 feet
thence North 87 Degrees 25 Minutes 06 Seconds East	50.7 feet
thence North 85 Degrees 28 Minutes 54 Seconds East	66.3 feet
thence North 80 Degrees 12 Minutes 18 Seconds East	82.5 feet
thence North 81 Degrees 43 Minutes 34 Seconds East	97.9 feet
thence North 83 Degrees 02 Minutes 42 Seconds East	101.4 feet
thence North 85 Degrees 53 Minutes 17 Seconds East	95.2 feet
thence North 87 Degrees 52 Minutes 06 Seconds East	88.1 feet
thence North 86 Degrees 13 Minutes 39 Seconds East	85 feet
thence North 86 Degrees 16 Minutes 19 Seconds East	72.8 feet
thence North 86 Degrees 38 Minutes 52 Seconds East	45.3 feet

thence North 86 Degrees 34 Minutes 16 Seconds East 53.2 feet  
 thence North 85 Degrees 44 Minutes 55 Seconds East 67.9 feet  
 thence North 87 Degrees 25 Minutes 17 Seconds East 75.7 feet  
 thence North 87 Degrees 24 Minutes 20 Seconds East 98.3 feet  
 thence North 87 Degrees 04 Minutes 23 Seconds East 112.4 feet  
 thence North 85 Degrees 23 Minutes 09 Seconds East 113 feet  
 thence North 85 Degrees 12 Minutes 28 Seconds East 110.2 feet  
 thence North 86 Degrees 03 Minutes 50 Seconds East 108.7 feet  
 thence North 85 Degrees 50 Minutes 38 Seconds East 108.3 feet  
 thence North 87 Degrees 15 Minutes 14 Seconds East 108.4 feet  
 thence North 85 Degrees 08 Minutes 36 Seconds East 109.1 feet  
 thence North 84 Degrees 10 Minutes 30 Seconds East 110.4 feet  
 thence North 83 Degrees 45 Minutes 10 Seconds East 112.8 feet  
 thence North 83 Degrees 34 Minutes 37 Seconds East 113.2 feet  
 thence North 83 Degrees 37 Minutes 44 Seconds East 110.8 feet  
 thence North 83 Degrees 50 Minutes 38 Seconds East 106.8 feet  
 thence North 84 Degrees 57 Minutes 04 Seconds East 101.1 feet  
 thence North 85 Degrees 34 Minutes 43 Seconds East 96.8 feet  
 thence North 85 Degrees 10 Minutes 39 Seconds East 59.7 feet  
 thence North 85 Degrees 10 Minutes 58 Seconds East 34.3 feet  
 thence North 84 Degrees 37 Minutes 48 Seconds East 93.5 feet  
 thence North 84 Degrees 04 Minutes 28 Seconds East 93 feet  
 thence North 83 Degrees 42 Minutes 39 Seconds East 91.8 feet  
 thence North 83 Degrees 30 Minutes 15 Seconds East 89.6 feet  
 thence North 86 Degrees 15 Minutes 57 Seconds East 85.9 feet  
 thence South 89 Degrees 50 Minutes 29 Seconds East 79 feet  
 thence South 87 Degrees 20 Minutes 15 Seconds East 66.3 feet  
 thence South 87 Degrees 35 Minutes 10 Seconds East 17.9 feet  
 thence South 87 Degrees 21 Minutes 15 Seconds East 133.3 feet  
 thence South 88 Degrees 44 Minutes 48 Seconds East 101.8 feet  
 thence South 88 Degrees 34 Minutes 20 Seconds East 108.8 feet  
 thence South 89 Degrees 12 Minutes 30 Seconds East 110.2 feet  
 thence South 89 Degrees 49 Minutes 00 Seconds East 108.9 feet  
 thence South 89 Degrees 35 Minutes 52 Seconds East 107.2 feet  
 thence North 89 Degrees 36 Minutes 35 Seconds East 103.7 feet  
 thence North 89 Degrees 07 Minutes 33 Seconds East 101.4 feet  
 thence North 89 Degrees 05 Minutes 01 Seconds East 100.5 feet  
 thence North 88 Degrees 53 Minutes 23 Seconds East 97.2 feet  
 thence North 89 Degrees 02 Minutes 38 Seconds East 94.2 feet  
 thence South 89 Degrees 17 Minutes 04 Seconds East 89.2 feet  
 thence South 87 Degrees 51 Minutes 32 Seconds East 86.5 feet  
 thence South 86 Degrees 33 Minutes 54 Seconds East 83.2 feet  
 thence South 85 Degrees 40 Minutes 19 Seconds East 80.6 feet  
 thence South 84 Degrees 25 Minutes 56 Seconds East 73.9 feet  
 thence South 83 Degrees 05 Minutes 35 Seconds East 58.7 feet  
 thence South 83 Degrees 10 Minutes 21 Seconds East 23.5 feet  
 thence South 82 Degrees 40 Minutes 37 Seconds East 81.5 feet  
 thence South 81 Degrees 29 Minutes 24 Seconds East 111 feet  
 thence South 79 Degrees 00 Minutes 50 Seconds East 114 feet

thence South 77 Degrees 16 Minutes 24 Seconds East 111.2 feet  
 thence South 74 Degrees 49 Minutes 17 Seconds East 110.3 feet  
 thence South 73 Degrees 27 Minutes 23 Seconds East 109.2 feet  
 thence South 72 Degrees 00 Minutes 41 Seconds East 110.7 feet  
 thence South 72 Degrees 23 Minutes 58 Seconds East 111.6 feet  
 thence South 73 Degrees 31 Minutes 52 Seconds East 109.7 feet  
 thence South 76 Degrees 14 Minutes 49 Seconds East 107 feet  
 thence South 77 Degrees 15 Minutes 26 Seconds East 105.6 feet  
 thence South 75 Degrees 54 Minutes 51 Seconds East 103.2 feet  
 thence South 76 Degrees 33 Minutes 13 Seconds East 100.4 feet  
 thence South 78 Degrees 49 Minutes 43 Seconds East 101 feet  
 thence South 81 Degrees 53 Minutes 47 Seconds East 101.5 feet  
 thence South 86 Degrees 54 Minutes 31 Seconds East 102.1 feet  
 thence North 88 Degrees 54 Minutes 56 Seconds East 100.5 feet  
 thence North 86 Degrees 20 Minutes 06 Seconds East 97.8 feet  
 thence North 82 Degrees 08 Minutes 32 Seconds East 95.5 feet  
 thence North 80 Degrees 45 Minutes 57 Seconds East 90.6 feet  
 thence North 83 Degrees 32 Minutes 28 Seconds East 90.8 feet  
 thence North 86 Degrees 51 Minutes 01 Seconds East 96.3 feet  
 thence North 88 Degrees 19 Minutes 59 Seconds East 92 feet  
 thence North 88 Degrees 57 Minutes 27 Seconds East 88.2 feet  
 thence South 88 Degrees 27 Minutes 58 Seconds East 84.3 feet  
 thence South 87 Degrees 11 Minutes 16 Seconds East 76.9 feet  
 thence South 87 Degrees 07 Minutes 48 Seconds East 68.5 feet  
 thence South 85 Degrees 47 Minutes 39 Seconds East 79.9 feet  
 thence South 85 Degrees 24 Minutes 17 Seconds East 103.9 feet  
 thence South 85 Degrees 53 Minutes 09 Seconds East 110 feet

thence South 86 Degrees 17 Minutes 48 Seconds East 45.4 feet more or less to **the ending point at:** 40 degrees 03 minutes 56.56 seconds North Latitude and -110 degrees 05 minutes 45.97 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,033,306.6 feet and Y = 7,195,742.4 feet.