

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Duchesne County as it pertains to the highway located in Duchesne County known as Sheep Wash Road; County Road Number: 548; State Geographic Information Database (SGID) Road Identification Number: RD070061. Total road length is 0.48 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

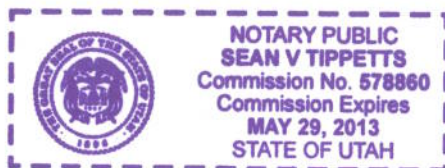
  
\_\_\_\_\_  
John Harja

**CERTIFICATION**

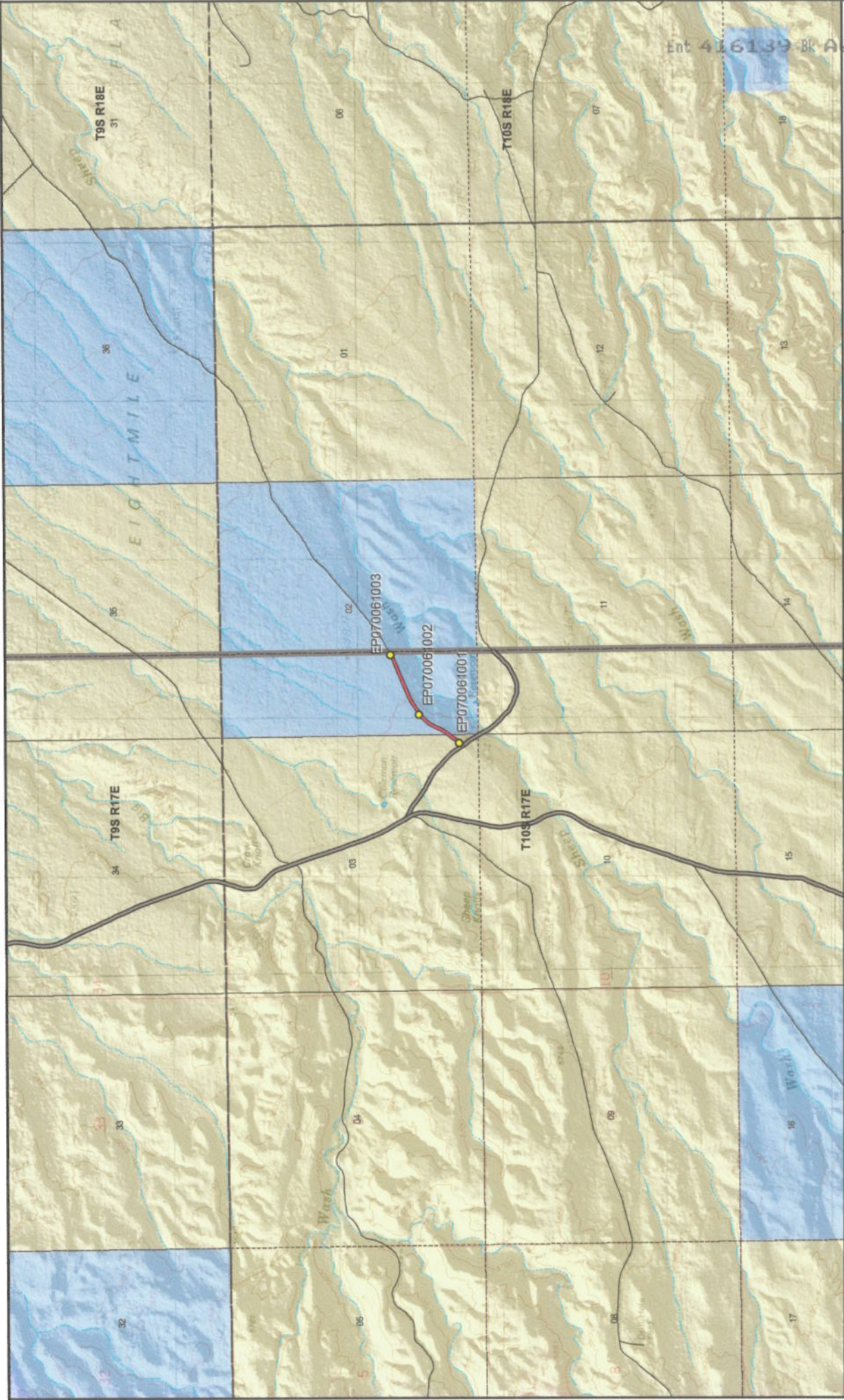
State of Utah )  
: ss  
County of Salt Lake )

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



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




Ent 416139 BK A05

**Sheep Wash Road - Duchesne County**  
**SGID RD\_ID RD070061 CO\_UNIQUE 548**

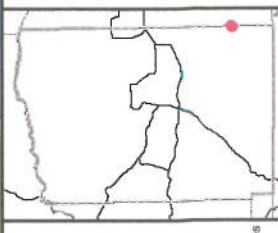
<b>Land Ownership Categories</b>	<b>Misc</b>
BLM	Photo Event Point
Private	Section = 1 Mile
SITLA, State Trust Land	
USFS, National Forest	
State Parks and Recreation	
UDWR Wildlife Reserve	
Tribal	
Wilderness	

**Transportation Network**

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



**Scale**  
1:32,861  
1 inch = 0.52 miles





EP070061002



EP070061003



EP070061001

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*Sheep Wash Road - Duchesne County*  
**SGID RD\_ID RD070061**

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: Sheep Wash Road**

**County: Duchesne**

**County Road Number: 548**

**State Geographic Information Database (SGID) Road Identification Number: RD070061.**

**Total Road Length: 0.48 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 57 minutes 59.71 seconds North Latitude and -109 degrees 59 minutes 02.76 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,065,260.6 feet and Y = 7,160,152.7 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 58 minutes 14.34 seconds North Latitude and -109 degrees 58 minutes 37.42 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,067,207.6 feet and Y = 7,161,666.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 10 South Range 17 East, Section(s) 2,3, 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: Sheep Wash Road**

**County: Duchesne**

**County Road Number: 548**

**State Geographic Information Database (SGID) Road Identification Number: RD070061.**

**Total Road Length: 0.48 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>RD070061</b>	<b>001</b>	<b>BLM</b>	<b>0.07 Miles</b>	<b>A</b>
<b>RD070061</b>	<b>002</b>	<b>ST</b>	<b>0.41 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>0.48</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 JAMES L. BROWN**  
**SHEEP WASH ROAD**  
**DUCHESNE COUNTY, UTAH**  
**DUCHESNE COUNTY ROAD 548**

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. From 1970 to 1986 I worked for Nutter Ranch in Duchesne, Uintah and Carbon Counties.

2. I have traveled and am familiar with Sheep Wash Road, Duchesne County Road 548, and the land it traverses.

3. I took the following steps to verify that the Road I refer to in this affidavit and Sheep Wash 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 2007, (“the Time Period of My Experience”). It is the reputation in the community that the Road has been traveled as early as the early 1900s by livestock men.

5. When I last traveled and observed the Road in 2007, it followed the same route as in 1965, when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled weekly, weather permitting, during hunting and grazing seasons and less frequently during other periods. 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, pickup truck and have observed others traveling the road in pickup trucks.

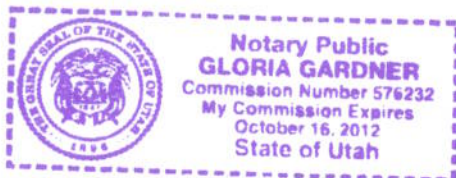
8. During the Time Period of My Experience I have personally used the Road for livestock operations, my work with Nutter Ranch and the BLM and hunting and have observed others use the Road for the same purposes, plus recreation.

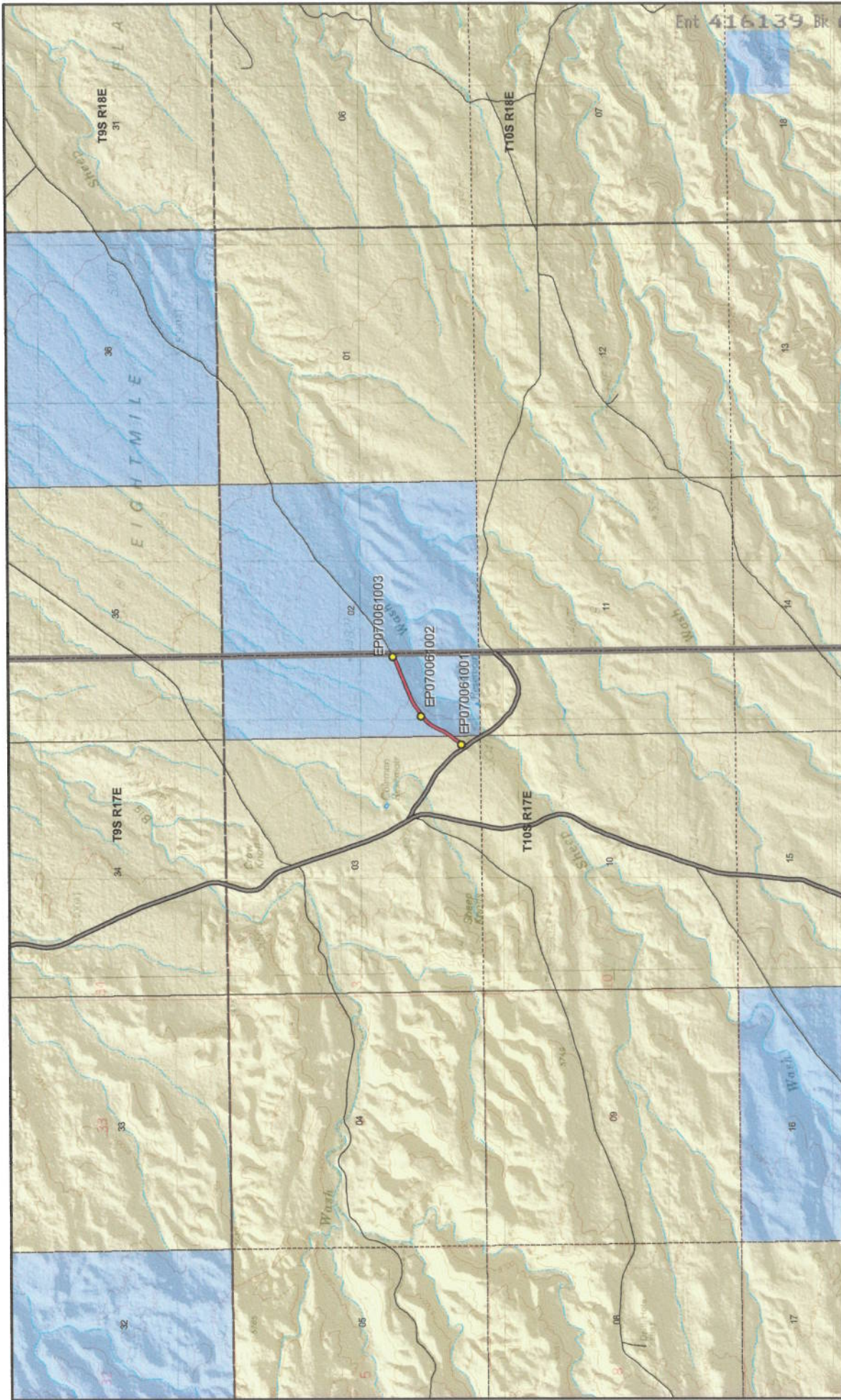
DATED this 6<sup>th</sup> day of January, 2009.

James L. Brown  
JAMES L. BROWN

SUBSCRIBED AND SWORN to before me this 6<sup>th</sup> day of January, 2009.

Gloria Gardner  
NOTARY PUBLIC



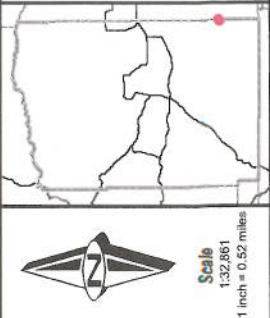


Ent 416139 Bk A0571 Pg 0781

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



- Sheep Wash Road - Duchesne County**  
**SGID RD\_ID RD070061 CO\_UNIQUE 548**
- |                                  |                   |
|----------------------------------|-------------------|
| <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> |
| Sheep Wash Road               |
| Title V, Issued Or Under      |
| Application By BLK            |
| Or County                     |
| County B Road                 |
| State / U.S. Highway          |
| Other Roads                   |



Scale  
 1:32,861  
 1 inch = 0.52 miles

**AFFIDAVIT OF LEON FILLINGIM  
SHEEP WASH ROAD  
DUCHESNE COUNTY, UTAH  
DUCHESNE COUNTY D ROAD 548**

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 Sheep Wash Road, Duchesne County Road 548 and the land it traverses.

3. I took the following steps to verify that the road I refer to in this affidavit as Sheep Wash Road and Duchesne County Road 548 (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 late 1940s and continuing until 2004, (“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 2004, it followed the same route as in the late 1940s when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled daily, 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 various means, including pickup truck and road maintenance vehicle I have observed others from the general public travel the road by the same means plus livestock vehicles.

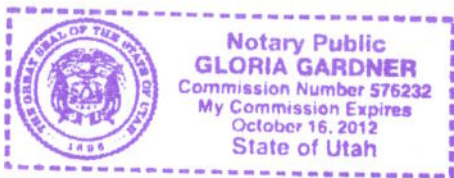
8. During the Time Period of My Experience I have personally used the Road for trapping, hunting, and I have observed others from the general public using the Road for the same purposes, plus livestock operations and Green River access in Uintah County.

DATED this 6 day of January, 2009.

Leon Fillingim  
LEON FILLINGIM

SUBSCRIBED AND SWORN to before me this 6th day of January, 2009.

Gloria Gardner  
NOTARY PUBLIC





Ent 416139 B A0571 P 0734

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



- Sheep Wash Road - Duchesne County**  
**SGID RD\_ID RD070061 CO\_UNIQUE 548**
- |                                  |                   |   |
|----------------------------------|-------------------|---|
| <b>Land Ownership Categories</b> | <b>Misc</b>       | <b>Transportation Network</b>                 |
| BLM                              | Photo Event Point | Sheep Wash Road                               |
| Private                          | Section = 1 Mile  | Title V: Issued Or Under Consideration By BLM |
| SITLA, State Trust Land          |                   | Of County                                     |
| USFS, National Forest            |                   | Of County                                     |
| State Parks and Recreation       |                   | County B Road                                 |
| UDWR Wildlife Reserve            |                   | State / U.S. Highway                          |
| Tribal                           |                   | Other Roads                                   |
| Wilderness                       |                   |   |

**Scale**  
1:32,661  
1 inch = 0.52 miles

## Appendix A to Attachment 4

**Popular Name: Sheep Wash Road**

**County: Duchesne**

**County Road Number: 548**

**State Geographic Information Database (SGID) Road Identification Number: RD070061.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.07 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 10 South Range 17 East, Section(s) 3, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Sheep Wash 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 39 degrees 57 minutes 59.71 seconds North Latitude and -109 degrees 59 minutes 02.76 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,065,260.6 feet and Y = 7,160,152.7 feet; thence the following courses along the said road center line:

thence North 67 Degrees 21 Minutes 31 Seconds East 5.4 feet

thence North 63 Degrees 42 Minutes 00 Seconds East 37.5 feet

thence North 46 Degrees 18 Minutes 30 Seconds East 55.6 feet

thence North 36 Degrees 06 Minutes 47 Seconds East 54 feet

thence North 36 Degrees 39 Minutes 32 Seconds East 77 feet

thence North 36 Degrees 33 Minutes 19 Seconds East 94.1 feet

thence North 36 Degrees 09 Minutes 54 Seconds East 45.8 feet more or less to **the ending**

**point at:** 39 degrees 58 minutes 02.39 seconds North Latitude and -109 degrees 58 minutes 59.62 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,065,500.1 feet and Y = 7,160,427.7 feet.