

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Emery County as it pertains to the highway located in Emery County known as PETERSON SPUR; County Road Number: 107; State Geographic Information Database (SGID) Road Identification Number: RD080051. Total road length is 1.18 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 17<sup>th</sup> day of April, 2008.

By the Governor's Designee

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

**CERTIFICATION**

State of Utah                    )  
  : ss  
County of Salt Lake         )

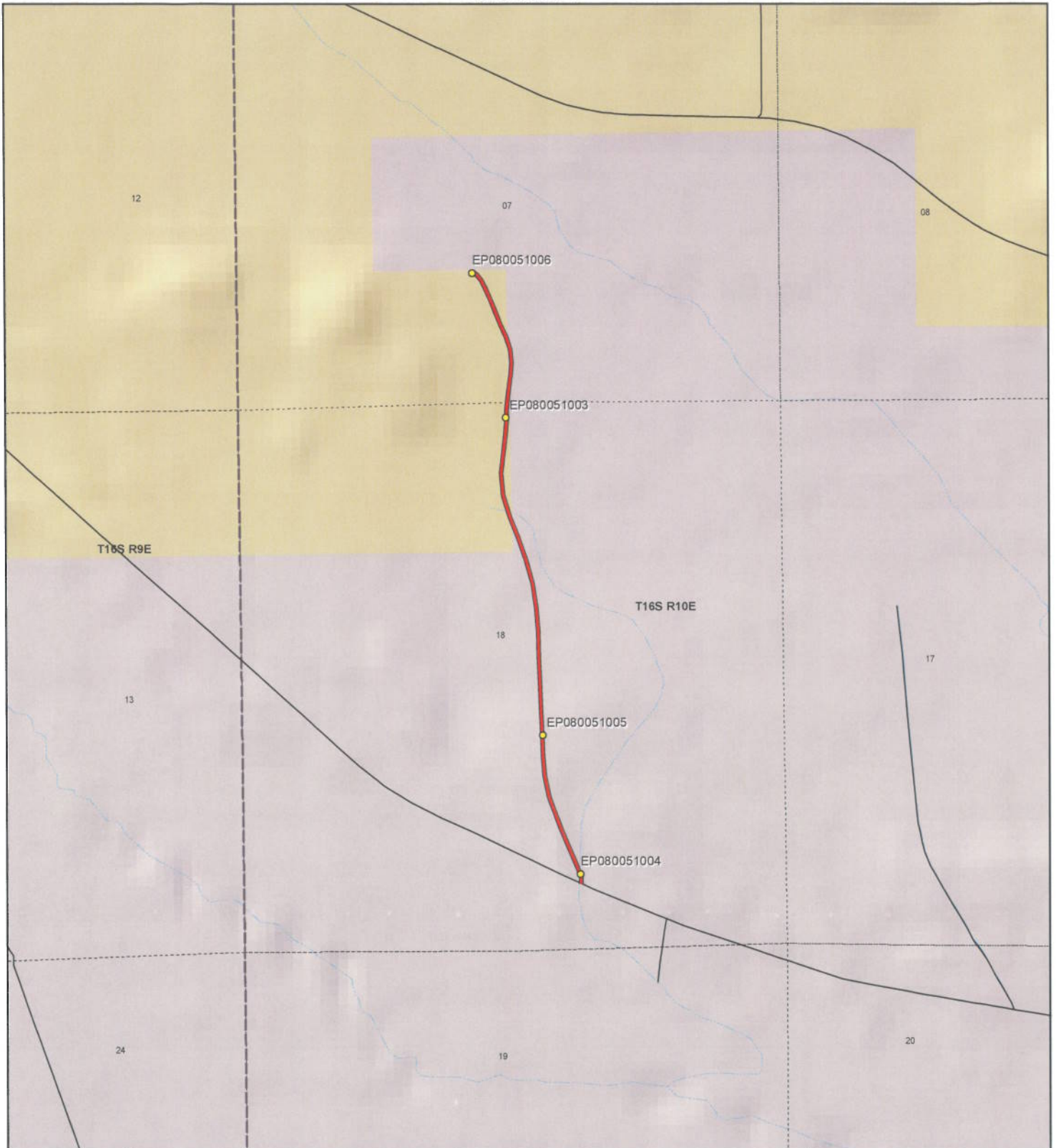
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 17<sup>th</sup> day of April, 2008.



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

Attachment 1



		<p style="text-align: center;"><b>PETERSON SPUR - Emery County</b> <b>SGID RD_ID RD080051</b></p> <table border="0"> <tr> <td colspan="2"><b>Land Ownership Categories</b></td> <td colspan="2"><b>Transportation Network</b></td> </tr> <tr> <td> BLM</td> <td> Wilderness</td> <td> PETERSON SPUR</td> <td> Title V: Issued Or Under Consideration By BLM Or County</td> </tr> <tr> <td> Private</td> <td> UDWR Wildlife Reserve</td> <td> Other Roads</td> <td> Photo Event Point</td> </tr> <tr> <td> SITLA, State Trust Land</td> <td> DOD, Military</td> <td> Section = 1 Mile</td> <td></td> </tr> <tr> <td> USFS, National Forest</td> <td> State Sovereign Land</td> <td></td> <td></td> </tr> <tr> <td> State Parks and Recreation</td> <td> National Recreation Area</td> <td></td> <td></td> </tr> <tr> <td> Tribal, Indian Reservation</td> <td> USFWS, Natl. Wildlife Refuge</td> <td></td> <td></td> </tr> <tr> <td> NPS, National Park</td> <td></td> <td></td> <td></td> </tr> </table>	<b>Land Ownership Categories</b>		<b>Transportation Network</b>		BLM	Wilderness	PETERSON SPUR	Title V: Issued Or Under Consideration By BLM Or County	Private	UDWR Wildlife Reserve	Other Roads	Photo Event Point	SITLA, State Trust Land	DOD, Military	Section = 1 Mile		USFS, National Forest	State Sovereign Land			State Parks and Recreation	National Recreation Area			Tribal, Indian Reservation	USFWS, Natl. Wildlife Refuge			NPS, National Park				<p>Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 Jan 29, 2008</p>
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Attachment 2



EP080051003



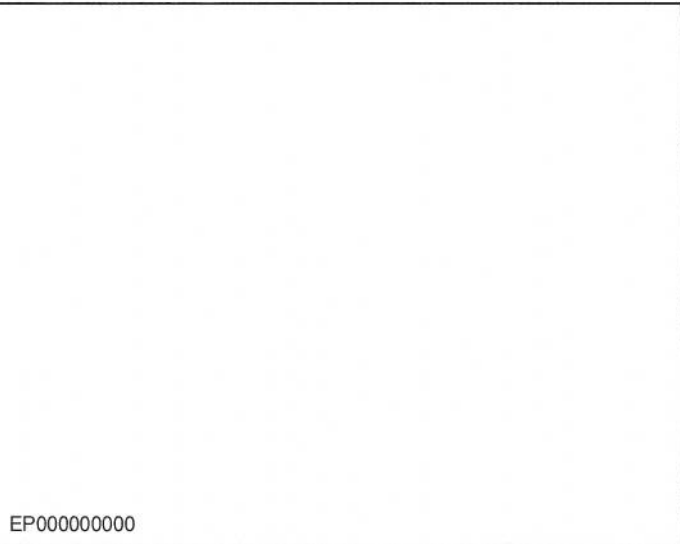
EP080051004



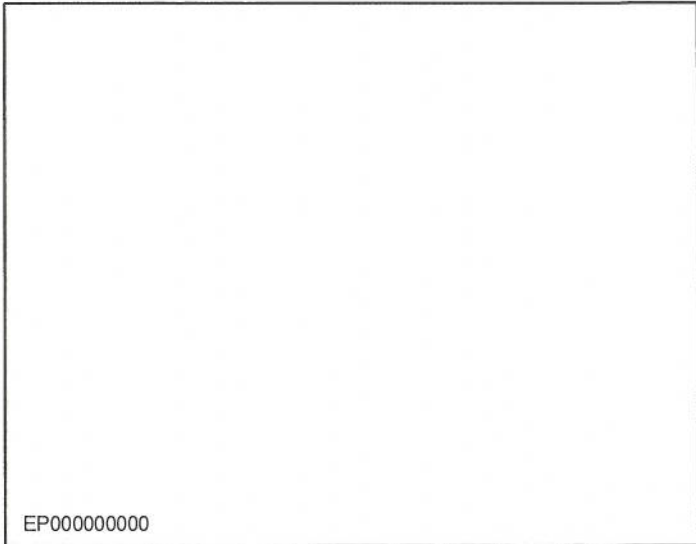
EP080051005



EP080051006



EP000000000



EP000000000

PETERSON SPUR - Emery County  
SGID RD\_ID RD080051

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
February 1, 2008



### Attachment 3

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

**Popular Name: PETERSON SPUR**

**County: Emery**

**County Road Number: 107**

**State Geographic Information Database (SGID) Road Identification Number: RD080051.**

**Total Road Length: 1.18 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 25 minutes 39.63 seconds North Latitude and -110 degrees 50 minutes 27.56 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,826,563.6 feet and Y = 6,960,949.6 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 26 minutes 38.94 seconds North Latitude and -110 degrees 50 minutes 40.99 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,825,465.7 feet and Y = 6,966,941.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 16 South Range 10 East, Section(s) 7,18, 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: PETERSON SPUR**

**County: Emery**

**County Road Number: 107**

**State Geographic Information Database (SGID) Road Identification Number: RD080051.**

**Total Road Length: 1.18 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>RD080051</b>	<b>001</b>	<b>PVT</b>	<b>0.69 Miles</b>	<b>(not shown)</b>
<b>RD080051</b>	<b>002</b>	<b>BLM</b>	<b>0.24 Miles</b>	<b>A</b>
<b>RD080051</b>	<b>003</b>	<b>PVT</b>	<b>0.11 Miles</b>	<b>(not shown)</b>
<b>RD080051</b>	<b>004</b>	<b>BLM</b>	<b>0.14 Miles</b>	<b>B</b>
		<b>Total Road Length</b>	<b>1.18</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 CHRIS HANSEN

PETERSON SPUR ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 107

State of Utah )  
 : ss.  
County of Emery )

CHRIS HANSEN, 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 Cleveland, Emery County, Utah. I have lived in Emery County for my entire life.

2. I have traveled and am familiar with a road in Emery County known as Peterson Spur 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 Emery County map showing the Peterson Spur 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 for more than ten continuous years prior to 1976, and is presently used daily.



5. Throughout the time period from the early 1960s to the late 1990s, I have used the road myself for the following uses: traveling in and through the area, hunting, farming and livestock operations.

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: oil and gas exploration and residential access.

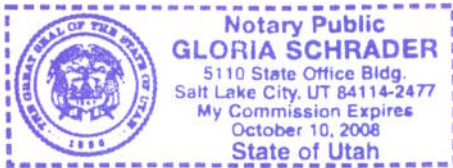
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally observed the graded surface of the road.

DATED this 5 day of March, 2007.

Chris Hansen  
CHRIS HANSEN

SUBSCRIBED AND SWORN to before me this 5<sup>th</sup> day of March, 2007.



Gloria Schrader  
NOTARY PUBLIC

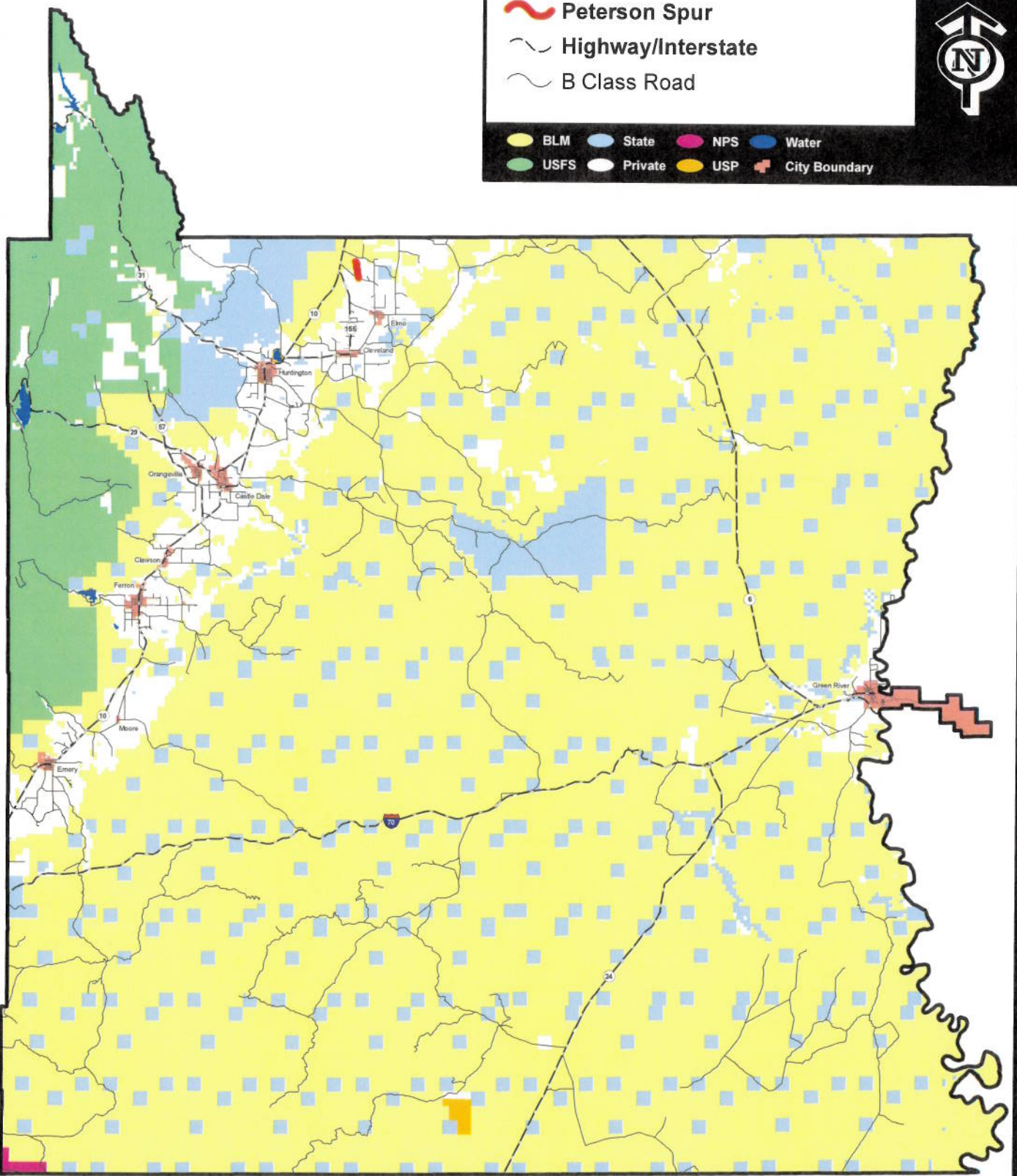
# Road #107 Peterson Spur

 Peterson Spur

 Highway/Interstate

 B Class Road

 BLM	 State	 NPS	 Water
 USFS	 Private	 USP	 City Boundary



**AFFIDAVIT OF VERNON LEAMASTER**  
**PETERSON SPUR ROAD**  
**EMERY COUNTY, UTAH**  
**COUNTY ROAD NUMBER 107**

State of Utah                    )  
  :SS  
County of Emery                )

VERNON LEAMASTER, 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 Huntington, Emery County, Utah. I have lived in Emery County most of my life. I worked for the Emery County Road Department from May of 1965 until May of 1982.

2. I have traveled and am familiar with a road in Emery County known as Peterson Spur Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1930s, it followed the same route as in 2006 when I last observed it. Attached is an Emery County map showing Peterson Spur 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 1930s and continuing through 1976 to 2006. 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 for more than ten continuous years prior to 1976, and is presently used daily.

5. Throughout the time period from the early 1930s to 2006, I have used the road myself for the following uses: county road maintenance, and visiting neighbors.

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: farming, livestock operations and residential access.

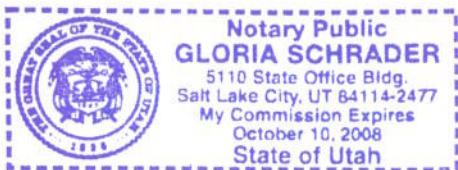
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally supervised the maintenance and construction activities on the road.

DATED this 6 day of March, 2007.

Vernon Leamaster  
VERNON LEAMASTER

SUBSCRIBED AND SWORN to before me this 6<sup>th</sup> day of March, 2007.



Gloria Schrader  
NOTARY PUBLIC

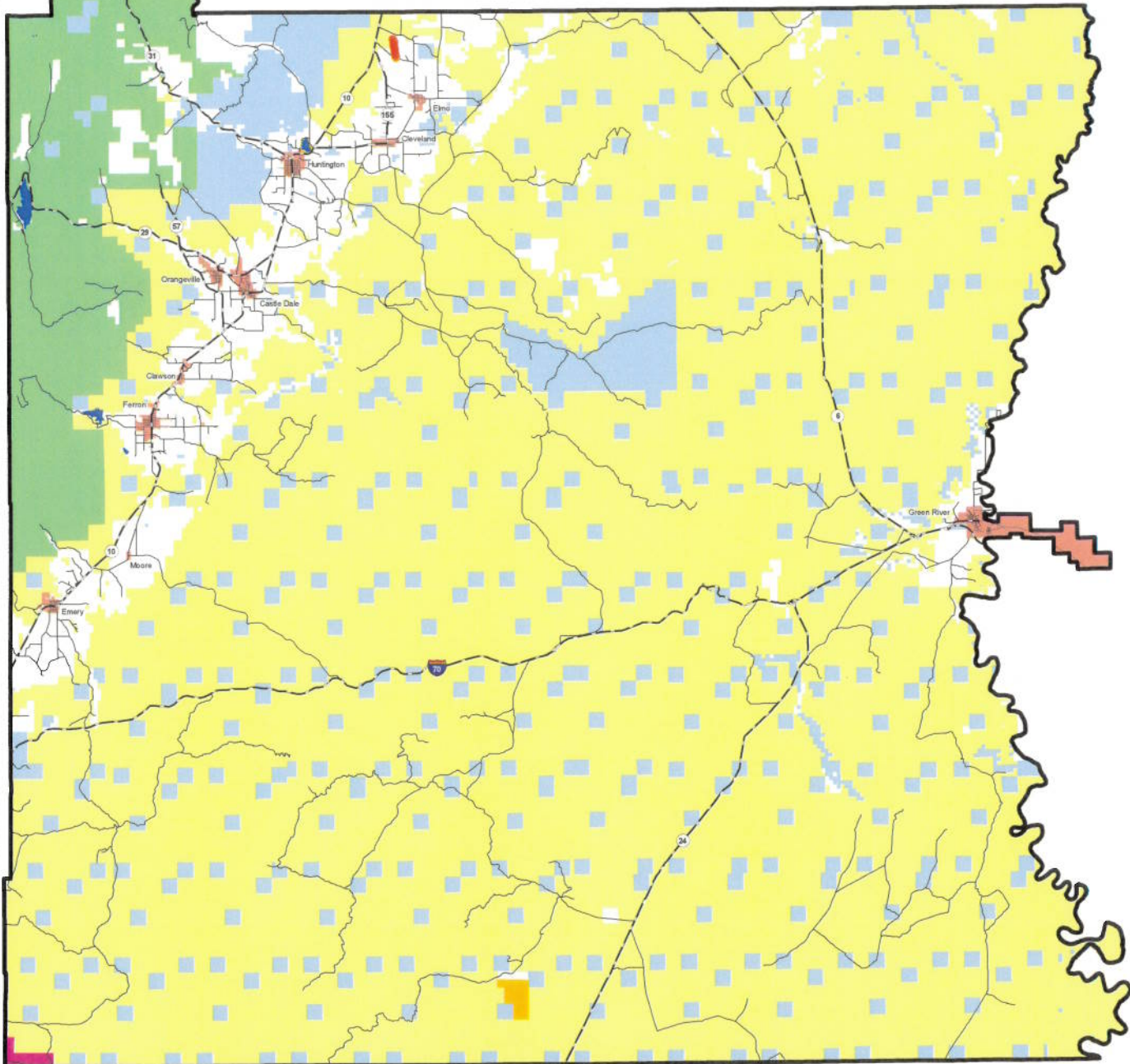
# Road #107

# Peterson Spur

-  Peterson Spur
-  Highway/Interstate
-  B Class Road



-  BLM
-  State
-  NPS
-  Water
-  USFS
-  Private
-  USP
-  City Boundary



## Appendix A to Attachment 4

**Popular Name: PETERSON SPUR**

**County: Emery**

**County Road Number: 107**

**State Geographic Information Database (SGID) Road Identification Number: RD080051.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.24 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 16 South Range 10 East, Section(s) 7,18, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (PETERSON SPUR)-- Segment 002 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 26 minutes 14.85 seconds North Latitude and -110 degrees 50 minutes 36.23 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,825,857.4 feet and Y = 6,964,507.2 feet; thence the following courses along the said road center line:

thence North 22 Degrees 07 Minutes 21 Seconds West 30 feet

thence North 17 Degrees 30 Minutes 36 Seconds West 224.3 feet

thence North 05 Degrees 38 Minutes 51 Seconds West 219.2 feet

thence North 06 Degrees 37 Minutes 21 Seconds East 244.3 feet

thence North 06 Degrees 28 Minutes 39 Seconds East 135.8 feet

thence North 02 Degrees 22 Minutes 17 Seconds East 132.7 feet

thence North 01 Degrees 20 Minutes 30 Seconds East 101.8 feet

thence North 04 Degrees 14 Minutes 04 Seconds East 82.6 feet

thence North 05 Degrees 23 Minutes 22 Seconds East 6.6 feet

thence North 06 Degrees 17 Minutes 32 Seconds East 68.4 feet more or less to **the ending**

**point at:** 39 degrees 26 minutes 26.99 seconds North Latitude and -110 degrees 50 minutes 36.55 seconds

West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of  $X = 1,825,822.6$  feet and  $Y = 6,965,736.1$  feet.

## Appendix B to Attachment 4

**Popular Name: PETERSON SPUR**

**County: Emery**

**County Road Number: 107**

**State Geographic Information Database (SGID) Road Identification Number: RD080051.**

**Road-Segment Number: 004**

**Road-Segment Length: 0.14 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 16 South Range 10 East, Section(s) 7, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (PETERSON SPUR)-- Segment 004 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 26 minutes 32.42 seconds North Latitude and -110 degrees 50 minutes 036.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,825,807.1 feet and Y = 6,966,284.4 feet; thence the following courses along the said road center line:

thence North 18 Degrees 22 Minutes 53 Seconds West 15.9 feet

thence North 25 Degrees 14 Minutes 39 Seconds West 133.2 feet

thence North 21 Degrees 01 Minutes 11 Seconds West 123.5 feet

thence North 21 Degrees 46 Minutes 44 Seconds West 122 feet

thence North 25 Degrees 11 Minutes 42 Seconds West 119.4 feet

thence North 26 Degrees 30 Minutes 42 Seconds West 112.3 feet

thence North 37 Degrees 01 Minutes 26 Seconds West 67.5 feet

thence North 57 Degrees 00 Minutes 37 Seconds West 55 feet

thence North 67 Degrees 07 Minutes 21 Seconds West 2.5 feet more or less to **the ending point**

**at:** 39 degrees 26 minutes 38.94 seconds North Latitude and -110 degrees 50 minutes 40.99 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet



coordinates of X = 1,825,465.7 feet and Y = 6,966,941.9 feet.