

Ent 390364 Page 1 of 13  
Date: 07-MAY-2008 11:11AM  
Fee: None  
Filed By: DKS  
DIXIE SWASEY, Recorder  
EMERY COUNTY CORPORATION  
For: GOVERNOR/STATE OF UTAH

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 BUFFALO HOLLOW SPUR; County Road Number: 334; State Geographic Information Database (SGID) Road Identification Number: RD080171. Total road length is 0.21 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 21<sup>st</sup> day of April, 2008.

By the Governor's Designee

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

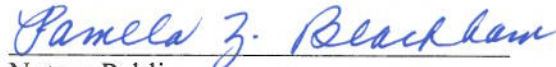
**CERTIFICATION**

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 21<sup>st</sup> day of April, 2008.



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

Attachment 1



		<p align="center"><b>BUFFALO HOLLOW SPUR - Emery County</b> <b>SGID RD_ID RD080171</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> BUFFALO HOLLOW SPUR</td> <td></td> </tr> <tr> <td> Private</td> <td> UDWR Wildlife Reserve</td> <td> Title V: Issued Or Under Consideration By BLM Or County</td> <td></td> </tr> <tr> <td> SITLA, State Trust Land</td> <td> DOD, Military</td> <td> Other Roads</td> <td></td> </tr> <tr> <td> USFS, National Forest</td> <td> State Sovereign Land</td> <td> Photo Event Point</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> <p align="right"> Section = 1 Mile</p>	<b>Land Ownership Categories</b>		<b>Transportation Network</b>		BLM	Wilderness	BUFFALO HOLLOW SPUR		Private	UDWR Wildlife Reserve	Title V: Issued Or Under Consideration By BLM Or County		SITLA, State Trust Land	DOD, Military	Other Roads		USFS, National Forest	State Sovereign Land	Photo Event Point		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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NPS, National Park																																			

Attachment 2



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**BUFFALO HOLLOW SPUR - Emery County**  
**SGID RD\_ID RD080171**



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: BUFFALO HOLLOW SPUR**

**County: Emery**

**County Road Number: 334**

**State Geographic Information Database (SGID) Road Identification Number: RD080171.**

**Total Road Length: 0.21 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 16 minutes 32.73 seconds North Latitude and -110 degrees 53 minutes 38.47 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,811,959.0 feet and Y = 6,905,513.6 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 16 minutes 42.31 seconds North Latitude and -110 degrees 53 minutes 32.37 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,812,432.1 feet and Y = 6,906,486.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 18 South Range 9 East, Section(s) 10, 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: BUFFALO HOLLOW SPUR**

**County: Emery**

**County Road Number: 334**

**State Geographic Information Database (SGID) Road Identification Number: RD080171.**

**Total Road Length: 0.21 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>RD080171</b>	<b>001</b>	<b>PVT</b>	<b>0.07 Miles</b>	<b>(not shown)</b>
<b>RD080171</b>	<b>002</b>	<b>BLM</b>	<b>0.13 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>0.21</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 HENRY E. JENSEN**

**BUFFALO HOLLOW SPUR ROAD**

**EMERY COUNTY, UTAH**

**ROAD NUMBER 334**

State of Utah                    )  
  : ss.  
County of Emery                )

HENRY E. JENSEN, 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 my entire life. I was employed by the Emery County Road Department from approximately 1956 to 1993.

2. I have traveled and am familiar with a road in Emery County known as Buffalo Hollow Spur Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1950s, it followed the same route as in 2002 when I last observed it. Attached is an Emery County map showing Buffalo Hollow 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 late 1950s and continuing through 1976 to 2002. Throughout this time period I have observed travel on the road by means of pickup trucks, cars, horses and wagons and ATVs. Throughout the 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 late 1950s to 2002, I have used the road



myself for county road maintenance and traveling in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus livestock operations, farming and hunting.

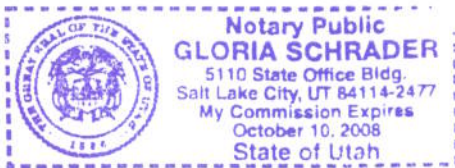
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 7 day of March, 2007.


Henry E. Jensen  
HENRY E. JENSEN

SUBSCRIBED AND SWORN to before me this 7<sup>th</sup> day of March, 2007.



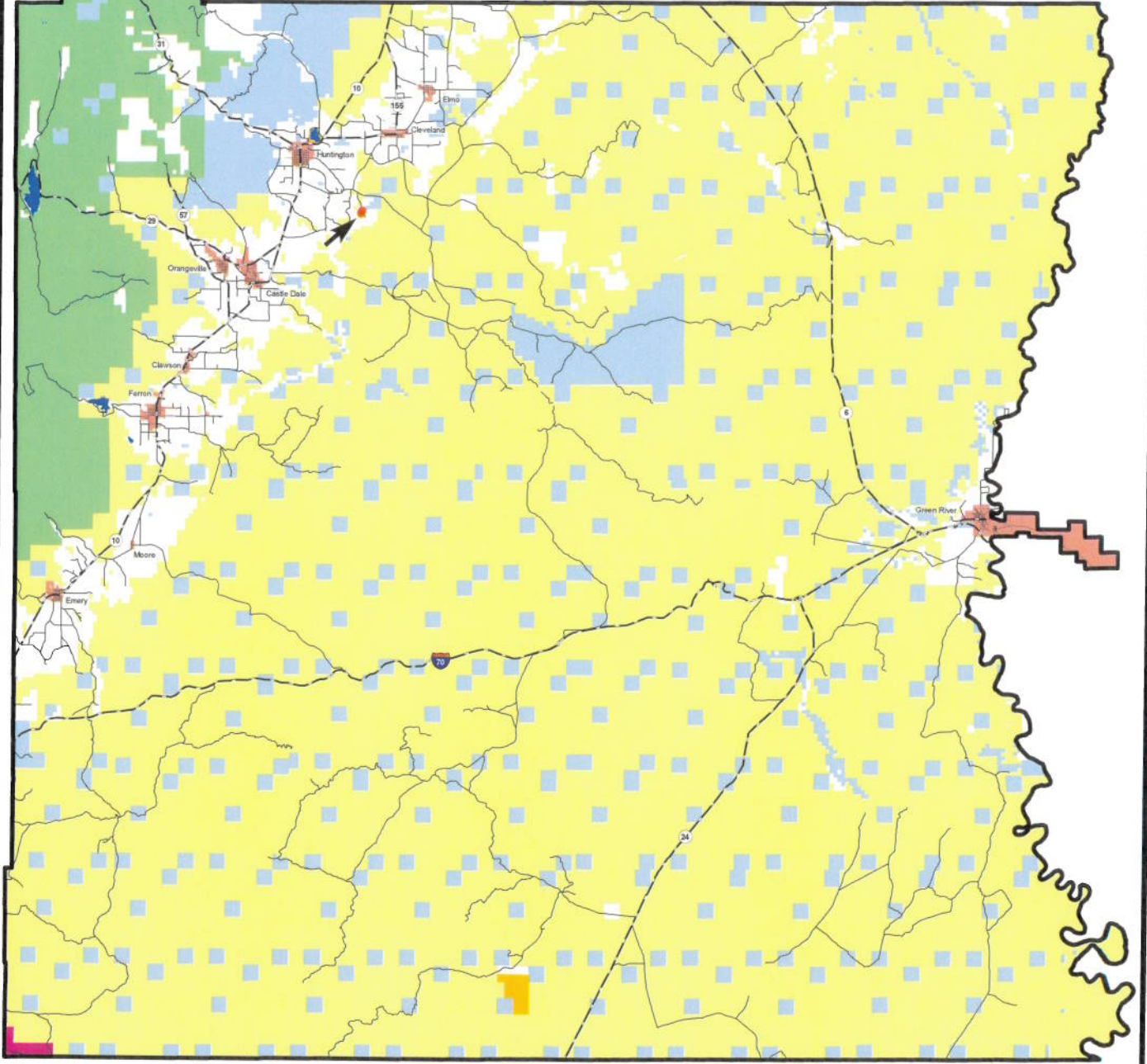
Gloria Schrader  
NOTARY PUBLIC

# Road #334 Buffalo Hollow Spur

-  Buffalo Hollow Spur
-  Highway/Interstate
-  B Class Road



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



AFFIDAVIT OF VERNON LEAMASTER

BUFFALO HOLLOW SPUR ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 334

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 for 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 Buffalo Hollow 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 2007 when I last observed it. Attached is a Emery County map showing the Buffalo Hollow 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 2007. 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 2007, I have used the road myself for county road maintenance and traveling in and through the area.

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, hunting, recreation and livestock operations.

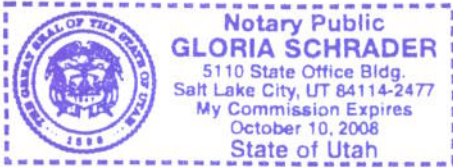
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally 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 6th day of March, 2007.



Gloria Schrader  
NOTARY PUBLIC

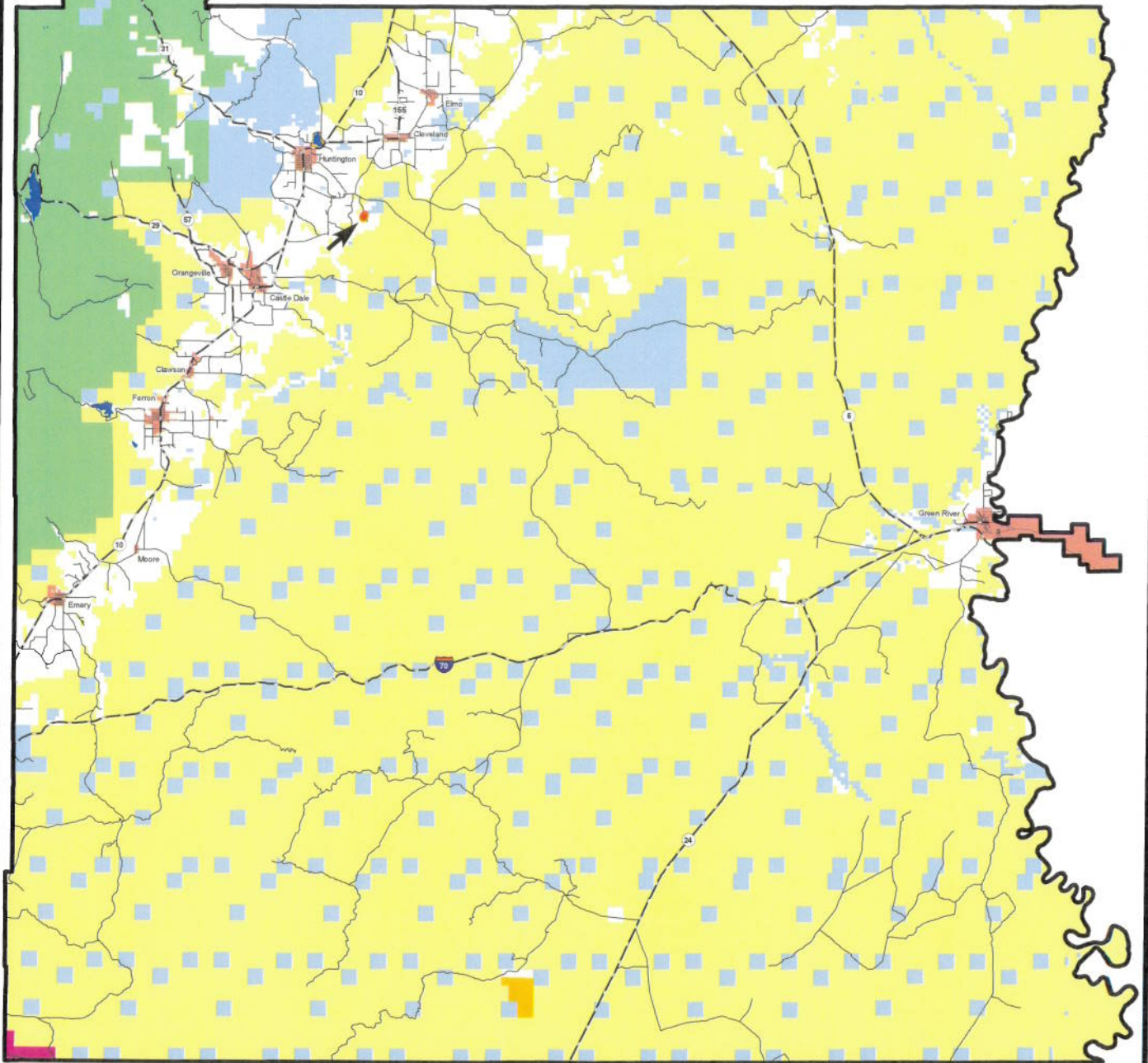
# Road #334

# Buffalo Hollow Spur

-  Buffalo Hollow Spur
-  Highway/Interstate
-  B Class Road



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



## Appendix A to Attachment 4

**Popular Name: BUFFALO HOLLOW SPUR**

**County: Emery**

**County Road Number: 334**

**State Geographic Information Database (SGID) Road Identification Number: RD080171.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.13 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 18 South Range 9 East, Section(s) 10, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (BUFFALO HOLLOW 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 16 minutes 36.23 seconds North Latitude and -110 degrees 53 minutes 36.41 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,812,119.2 feet and Y = 6,905,868.6 feet; thence the following courses along the said road center line:

thence North 27 Degrees 34 Minutes 34 Seconds East 12.6 feet

thence North 25 Degrees 54 Minutes 48 Seconds East 178.2 feet

thence North 25 Degrees 02 Minutes 40 Seconds East 182.3 feet

thence North 26 Degrees 29 Minutes 04 Seconds East 174.7 feet

thence North 30 Degrees 43 Minutes 23 Seconds East 120.3 feet

thence North 31 Degrees 02 Minutes 09 Seconds East 24.6 feet more or less to **the ending**

**point at:** 39 degrees 16 minutes 42.31 seconds North Latitude and -110 degrees 53 minutes 32.37 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,812,432.1 feet and Y = 6,906,486.1 feet.