

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 HUNTER/PRICE ROAD; County Road Number: 426; State Geographic Information Database (SGID) Road Identification Number: RD080480. Total road length is 3.47 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, 200 8.

By the Governor's Designee

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

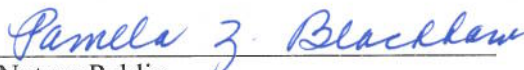
**CERTIFICATION**

State of Utah                    )  
                                          : ss  
County of Salt Lake         )

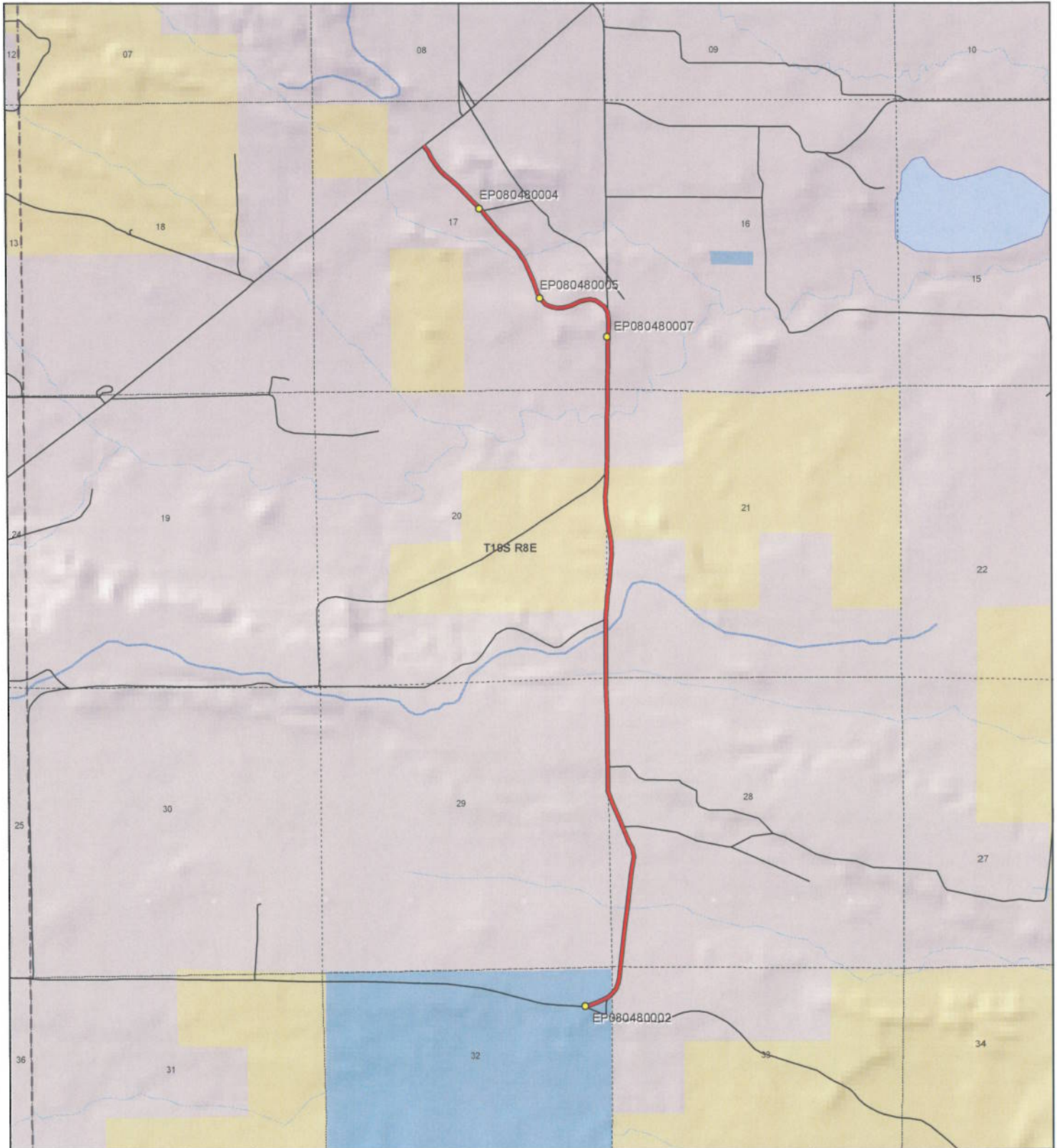
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to 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, 200 8.



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

Attachment 1



**HUNTER/PRICE ROAD - Emery County**  
**SGID RD\_ID RD080480**

**Land Ownership Categories**

- ◆ BLM
- ◆ Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ State Parks and Recreation
- ◆ Tribal, Indian Reservation
- ◆ NPS, National Park
- ◆ Wilderness
- ◆ UDWR Wildlife Reserve
- ◆ DOD, Military
- ◆ State Sovereign Land
- ◆ National Recreation Area
- ◆ USFWS, Natl. Wildlife Refuge

**Transportation Network**

- HUNTER/PRICE ROAD
- Title V: Issued Or Under Consideration By BLM Or County
- Other Roads
- Photo Event Point
- Section = 1 Mile



1:28,834  
 1 inch equals 0.5 miles



Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Jan 29, 2008





EP080480002



EP080480004



EP080480005



EP080480007

EP000000000

EP000000000

**HUNTER/PRICE ROAD - Emery County**  
**SGID RD\_ID RD080480**

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: HUNTER/PRICE ROAD**

**County: Emery**

**County Road Number: 426**

**State Geographic Information Database (SGID) Road Identification Number: RD080480.**

**Total Road Length: 3.47 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 07 minutes 50.63 seconds North Latitude and -111 degrees 02 minutes 02.4 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,771,033.2 feet and Y = 6,852,446.4 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 10 minutes 27.43 seconds North Latitude and -111 degrees 02 minutes 59.48 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,768,031.2 feet and Y = 6,868,294.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 19 South Range 8 East, Section(s) 16,17,20,21,28,29,32,33, 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: HUNTER/PRICE ROAD**

**County: Emery**

**County Road Number: 426**

**State Geographic Information Database (SGID) Road Identification Number: RD080480.**

**Total Road Length: 3.47 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>RD080480</b>	<b>001</b>	<b>ST</b>	<b>0.1 Miles</b>	<b>(not shown)</b>
<b>RD080480</b>	<b>002</b>	<b>PVT</b>	<b>1.62 Miles</b>	<b>(not shown)</b>
<b>RD080480</b>	<b>003</b>	<b>BLM</b>	<b>0.25 Miles</b>	<b>A</b>
<b>RD080480</b>	<b>004</b>	<b>PVT</b>	<b>1.49 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>3.47</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 LEE SWASEY

HUNTER/PRICE ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 426

State of Utah )  
 : ss.  
County of Emery )

LEE SWASEY, 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 Ferron, 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 Hunter/Price 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 2007 when I last observed it. Attached is a Emery County map showing the Hunter/Price 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 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.



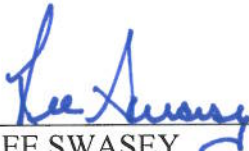
5. Throughout the time period from the early 1960s to 2007, I have used the road myself for farming, tourism and livestock operations.

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.

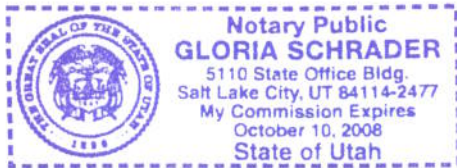
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 5 day of March, 2007.

  
\_\_\_\_\_  
LEE SWASEY



SUBSCRIBED AND SWORN to before me this 5th day of March, 2007.



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

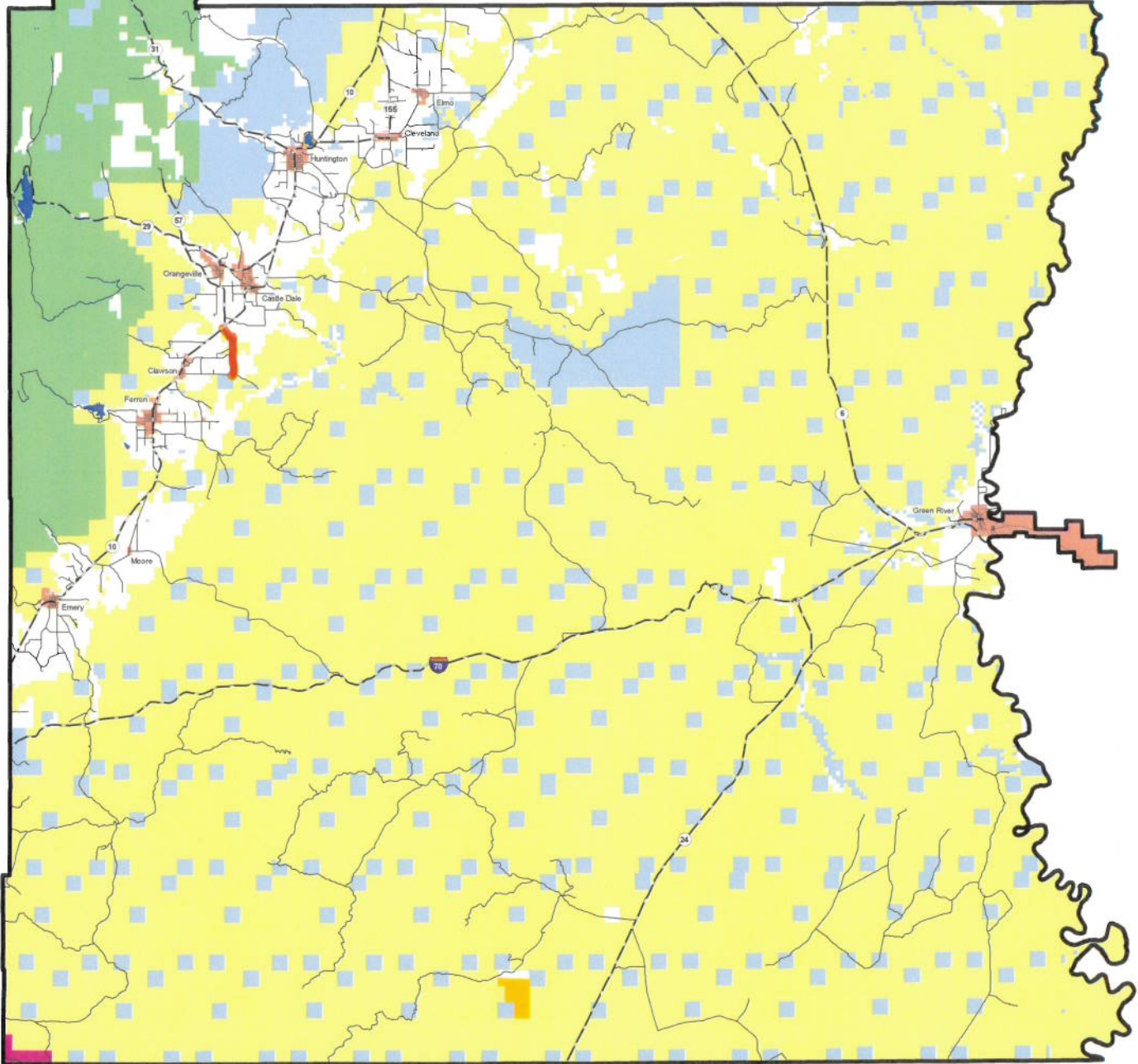
# Road #426

# Hunter/Price

 Hunter/Price  
 Highway/Interstate  
 B Class Road



 BLM	 State	 NPS	 Water
 USFS	 Private	 USP	 City Boundary



AFFIDAVIT OF JED BEHLING

HUNTER/PRICE ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 426

State of Utah )  
 : ss.  
County of Emery )

JED BEHLING, 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 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 the Hunter/Price Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950s, it followed the same route as in 2007 when I last observed it. Attached is a Emery County map showing Hunter/Price 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 1950s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by various means, including car, truck, recreational vehicle, and pickup truck. 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 1950s to the present, I have used the

road myself for the following uses: farming 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: Mining, prospecting for minerals, livestock operations, trapping, tourism, government access and recreation.

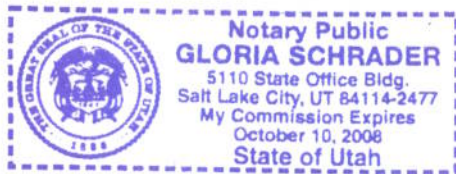
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1920s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed graders performing maintenance and construction activities on the road.

DATED this 5 day of March, 2007.

Jed Behling  
JED BEHLING

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



Gloria Schrader  
NOTARY PUBLIC

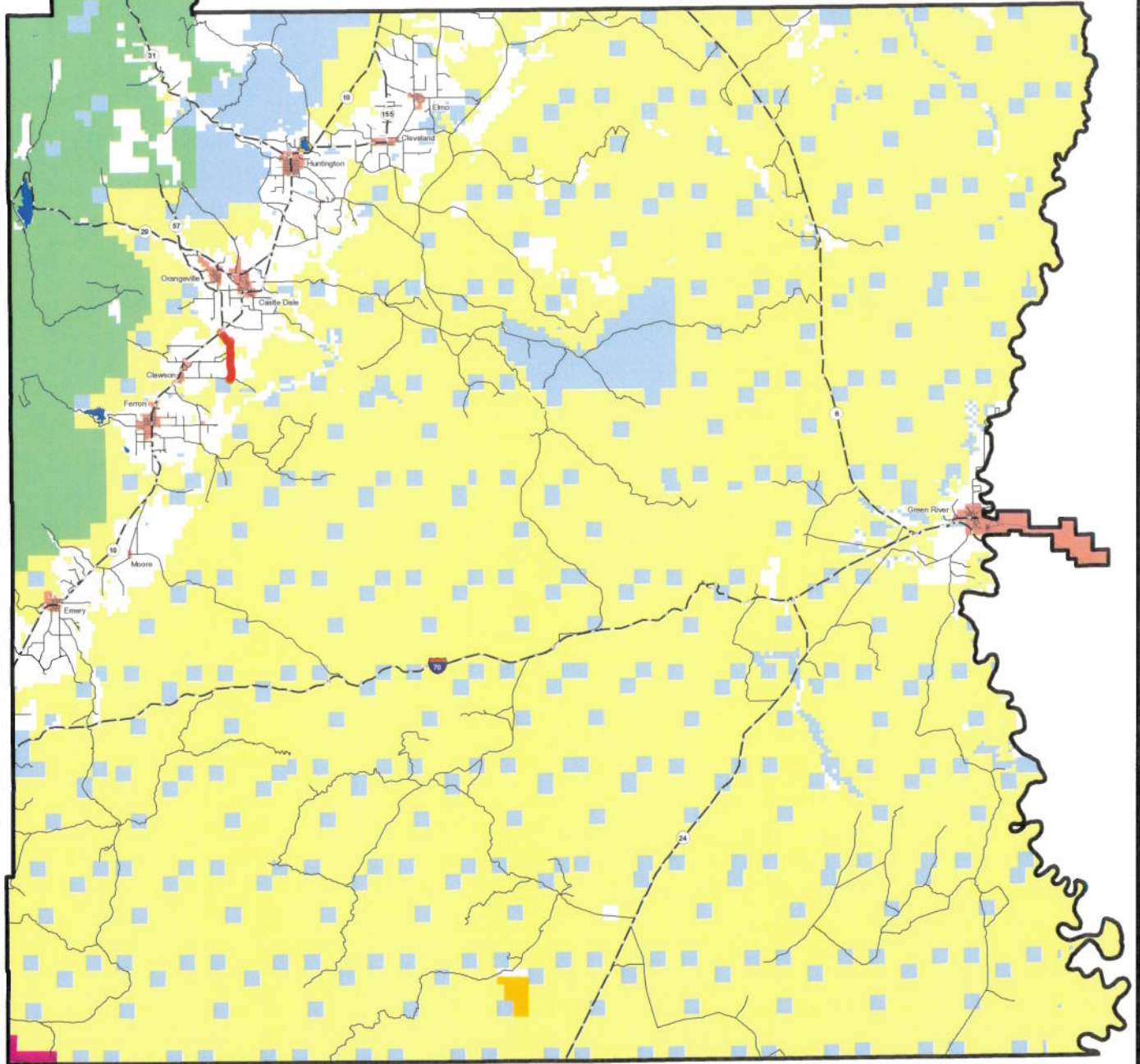
# Road #426

# Hunter/Price

 Hunter/Price  
 Highway/Interstate  
 B Class Road



 BLM	 State	 NPS	 Water
 USFS	 Private	 USP	 City Boundary



## Appendix A to Attachment 4

**Popular Name: HUNTER/PRICE ROAD**

**County: Emery**

**County Road Number: 426**

**State Geographic Information Database (SGID) Road Identification Number: RD080480.**

**Road-Segment Number: 003**

**Road-Segment Length: 0.25 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 19 South Range 8 East, Section(s) 20,21, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (HUNTER/PRICE ROAD)-- Segment 003 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 09 minutes 15.95 seconds North Latitude and -111 degrees 02 minutes 15.95 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,771,496.3 feet and Y = 6,861,080.9 feet; thence the following courses along the said road center line:

thence North 10 Degrees 04 Minutes 32 Seconds West 168.5 feet

thence North 10 Degrees 24 Minutes 31 Seconds West 202.3 feet

thence North 07 Degrees 02 Minutes 54 Seconds West 58.8 feet

thence North 07 Degrees 06 Minutes 08 Seconds West 136.2 feet

thence North 02 Degrees 08 Minutes 17 Seconds West 206.9 feet

thence North 02 Degrees 32 Minutes 32 Seconds East 223.5 feet

thence North 03 Degrees 45 Minutes 56 Seconds East 225.7 feet

thence North 01 Degrees 56 Minutes 26 Seconds East 25 feet

thence North 01 Degrees 54 Minutes 30 Seconds East 84.4 feet more or less to **the ending**

**point at:** 39 degrees 09 minutes 29.03 seconds North Latitude and -111 degrees 02 minutes 16.75 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet

coordinates of X = 1,771,426.9 feet and Y = 6,862,403.8 feet.