

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 MOORE OLD STATE HIGHWAY; County Road Number: 801; State Geographic Information Database (SGID) Road Identification Number: RD080533. Total road length is 4.49 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.

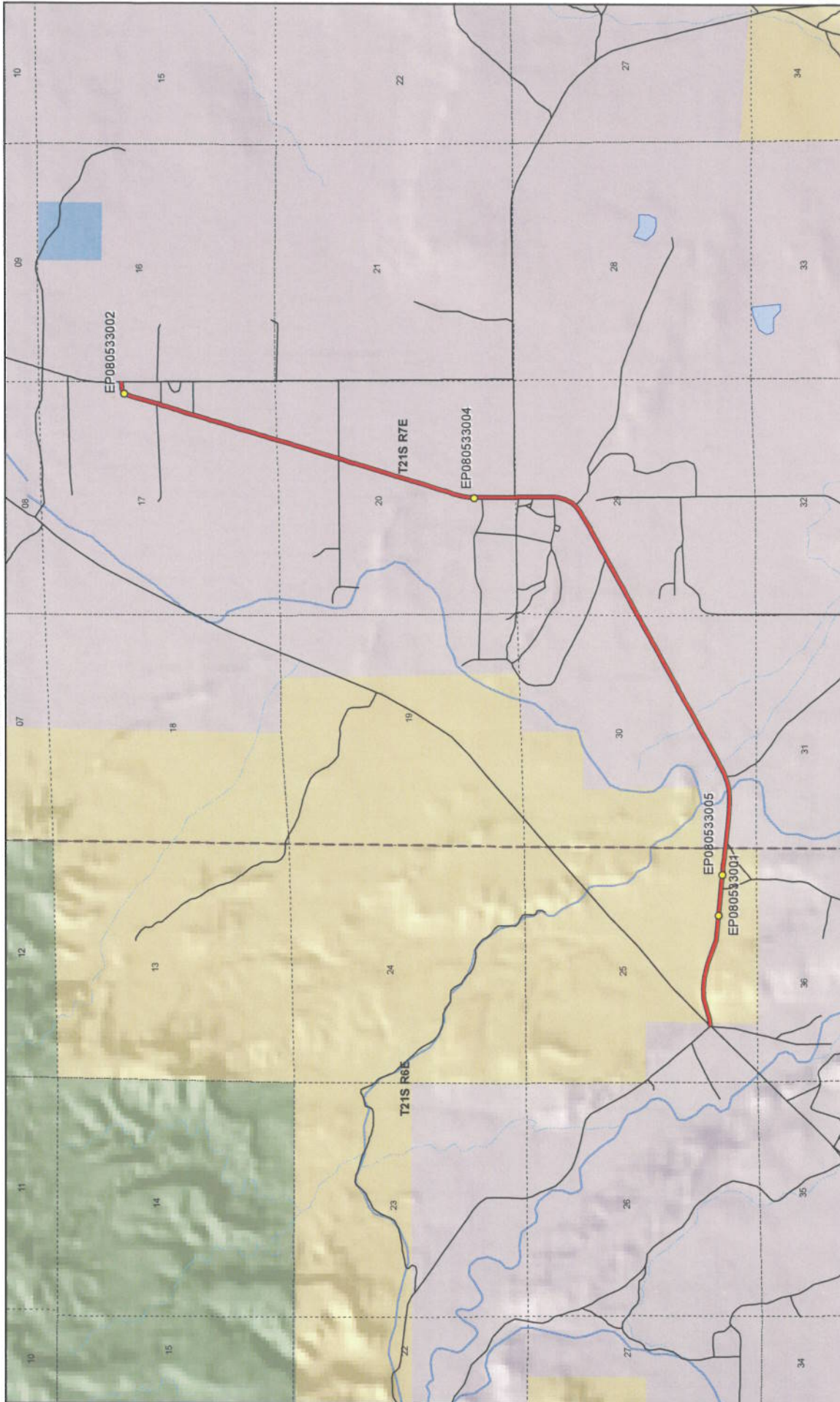
Dated this 21<sup>st</sup> day of April, 2008.



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



Attachment 1



**MOORE OLD STATE HIGHWAY - Emery County**  
**SGID RD\_ID RD080533**

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Tribal, Indian Reservation
- NPS, National Park

**Transportation Network**

- MOORE OLD STATE HIGHWAY
- Other Roads
- Title V, Issued Or Under Consideration By BLM Or County
- Photo Event Point
- Section = 1 Mile

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 2130 State Office Building  
Salt Lake City, UT 84114  
Jan. 28, 2008

1:36,337  
1 inch equals 0.6 miles

Attachment 2



EP080533001



EP080533002



EP080533004



EP080533005

EP000000000

EP000000000

**MOORE OLD STATE HIGHWAY - Emery County**  
**SGID RD\_ID RD080533**

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: MOORE OLD STATE HIGHWAY**

**County: Emery**

**County Road Number: 801**

**State Geographic Information Database (SGID) Road Identification Number: RD080533.**

**Total Road Length: 4.49 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 57 minutes 26.26 seconds North Latitude and -111 degrees 12 minutes 05.55 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,725,292.8 feet and Y = 6,789,082.1 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 59 minutes 39.06 seconds North Latitude and -111 degrees 09 minutes 01.15 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,739,806.7 feet and Y = 6,802,571.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 21 South Range 6 East, Section(s) 25, Salt Lake Base & Meridian

Township 21 South Range 7 East, Section(s) 17,20,29,30, 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: MOORE OLD STATE HIGHWAY**  
**County: Emery**  
**County Road Number: 801**  
**State Geographic Information Database (SGID) Road Identification Number: RD080533.**  
**Total Road Length: 4.49 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>RD080533</b>	<b>001</b>	<b>PVT</b>	<b>0.01 Miles</b>	<b>(not shown)</b>
<b>RD080533</b>	<b>002</b>	<b>BLM</b>	<b>0.77 Miles</b>	<b>A</b>
<b>RD080533</b>	<b>003</b>	<b>PVT</b>	<b>3.71 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>4.49</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 ERIC BUNDERSON  
MOORE OLD STATE HIGHWAY  
EMERY COUNTY, UTAH  
ROAD NUMBER 801

State of Utah )  
 : ss.  
County of Emery )

ERIC BUNDERSON, 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 Castle Dale, Emery County, Utah. I have lived in Emery County for most of my life.

2. I have traveled and am familiar with a road in Emery County known as Moore Old State Highway. 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 the Moore Old State Highway. 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 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 1950s to 2007, I have used the road myself for farming, livestock operations, hunting, travel to and from school, traveling in and through the area and recreation.

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 mail delivery and prospecting for minerals.

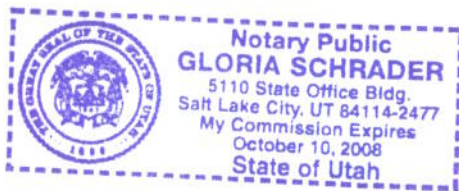
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 5 day of March, 2007.

*Eric Bunderson*  
ERIC BUNDERSON




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



*Gloria Schrader*  
NOTARY PUBLIC

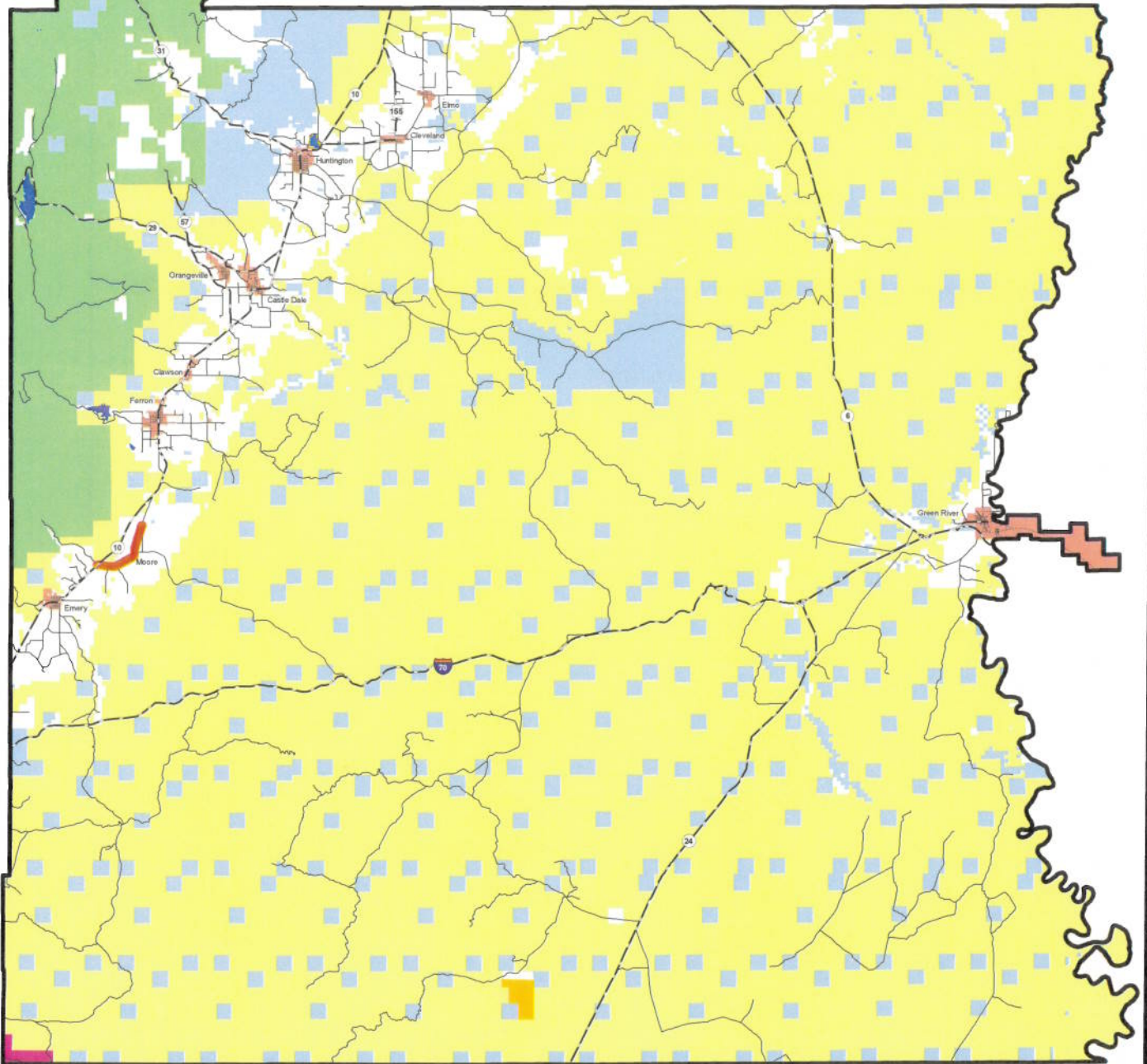
# Road #801

# Moore Old State

-  Moore Old State
-  Highway/Interstate
-  B Class Road



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



AFFIDAVIT OF LEE SWASEY  
MOORE OLD STATE HIGHWAY  
EMERY COUNTY, UTAH  
ROAD NUMBER 801

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 Moore Old State Highway. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1960s it followed the same route as in 2007 when I last observed it. Attached is a Emery County map showing the Moore Old State Highway. 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 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.



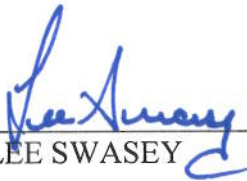
5. Throughout the time period from the late 1960s to 2007, I have used the road myself for hunting, tourism, wood gathering, traveling in and through the area and recreation.

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 farming, livestock operations and mail delivery.

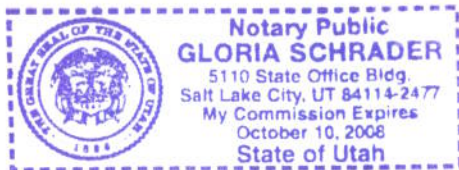
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally observed the oiled 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

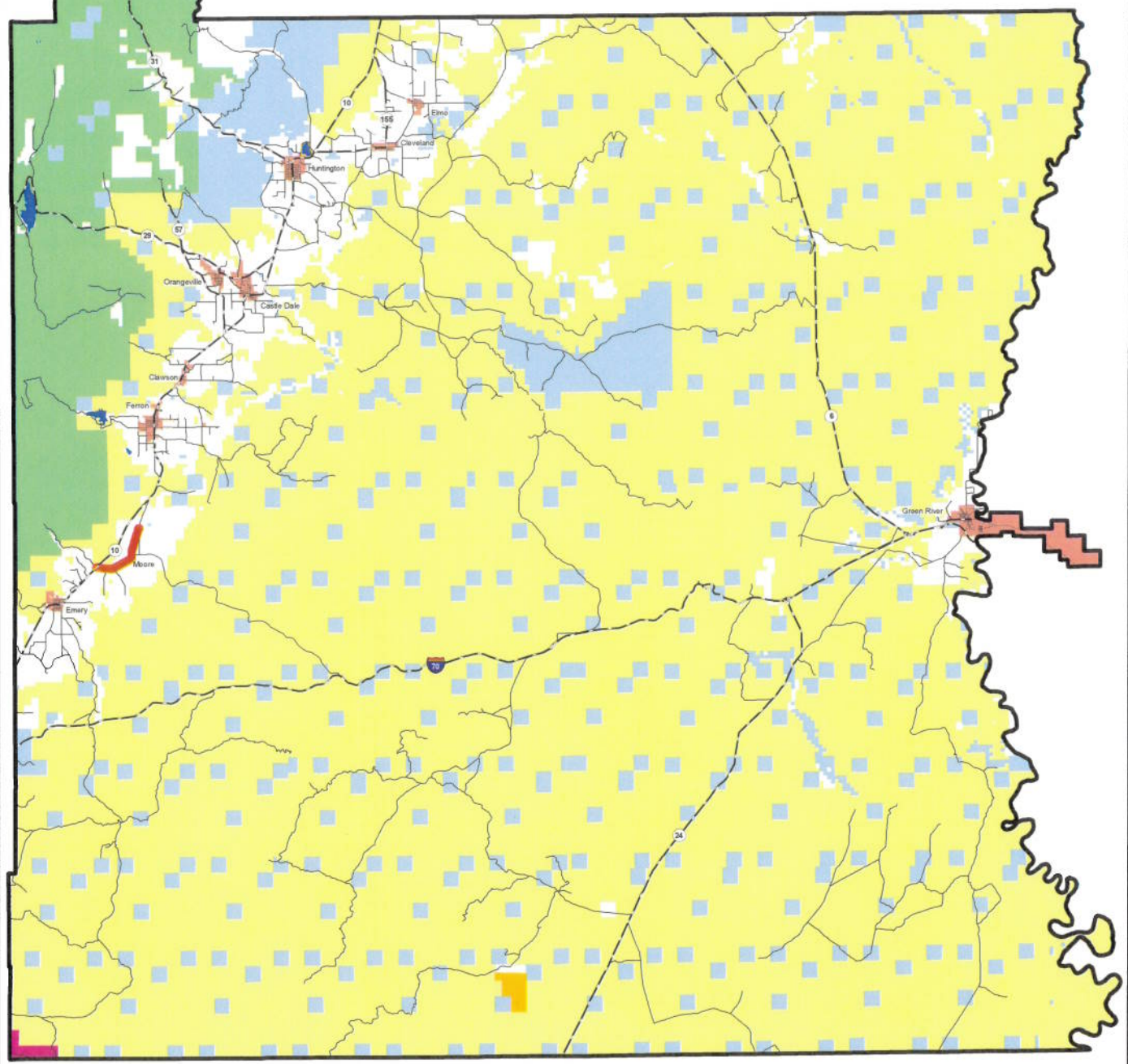
# Road #801

# Moore Old State

-  Moore Old State
-  Highway/Interstate
-  B Class Road



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





**Appendix A to Attachment 4**

**Popular Name: MOORE OLD STATE HIGHWAY**

**County: Emery**

**County Road Number: 801**

**State Geographic Information Database (SGID) Road Identification Number: RD080533.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.77 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 21 South Range 6 East, Section(s) 25, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (MOORE OLD STATE HIGHWAY)-- 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 38 degrees 57 minutes 26.33 seconds North Latitude and -111 degrees 12 minutes 04.74 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,725,356.7 feet and Y = 6,789,089.1 feet; thence the following courses along the said road center line:

thence North 83 Degrees 58 Minutes 17 Seconds East 85.8 feet  
thence North 71 Degrees 30 Minutes 37 Seconds East 248.4 feet  
thence North 73 Degrees 49 Minutes 44 Seconds East 223.5 feet  
thence North 87 Degrees 49 Minutes 09 Seconds East 242.4 feet  
thence South 85 Degrees 41 Minutes 11 Seconds East 248 feet  
thence South 75 Degrees 52 Minutes 02 Seconds East 330.1 feet  
thence South 71 Degrees 08 Minutes 25 Seconds East 576.5 feet  
thence South 85 Degrees 01 Minutes 40 Seconds East 1157 feet  
thence South 84 Degrees 34 Minutes 03 Seconds East 140.9 feet  
thence South 84 Degrees 21 Minutes 48 Seconds East 199.3 feet  
thence South 84 Degrees 18 Minutes 14 Seconds East 197.4 feet



thence South 84 Degrees 32 Minutes 13 Seconds East 159.7 feet  
thence South 84 Degrees 06 Minutes 29 Seconds East 127.4 feet  
thence South 84 Degrees 43 Minutes 31 Seconds East 111.1 feet more or less to **the ending**  
**point at:** 38 degrees 57 minutes 23.05 seconds North Latitude and -111 degrees 11 minutes 14.44 seconds  
West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet  
coordinates of X = 1,729,331.3 feet and Y = 6,788,771.4 feet.