

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 LINK CANYON ROAD; County Road Number: 911; State Geographic Information Database (SGID) Road Identification Number: RD080549. Total road length is 3.26 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

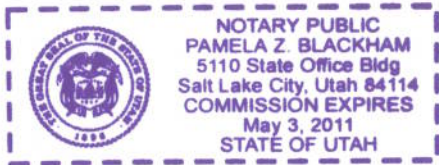
  
 \_\_\_\_\_  
 John Harja

**CERTIFICATION**

State of Utah                    )  
   : ss  
 County of Salt Lake        )

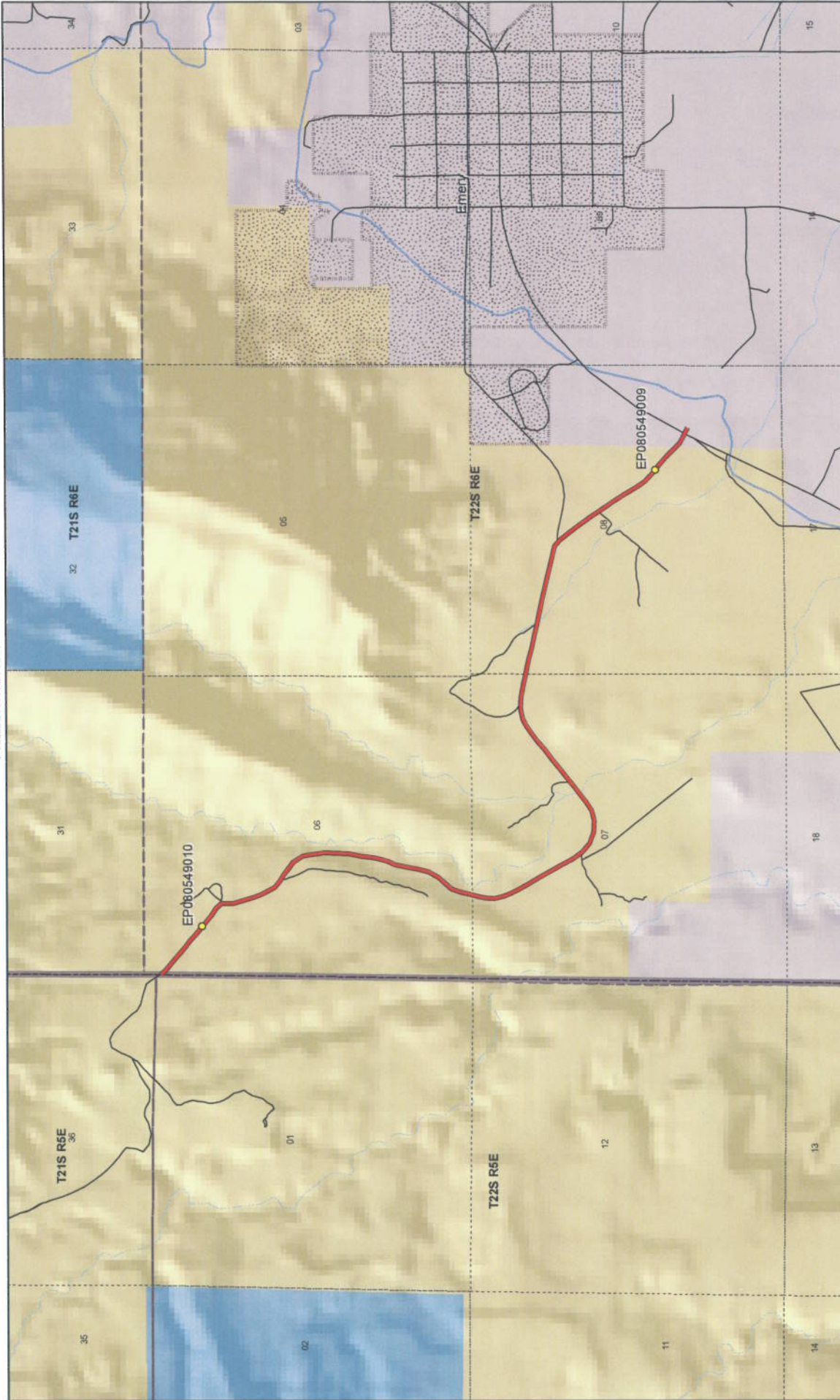
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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



**LINK CANYON ROAD - Emery County**  
**SGID RD\_ID RD080549**



1:27,069  
 1 inch equals 0.4 miles



- 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**
- LINK CANYON ROAD
  - 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 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Jan 28, 2008



Attachment 2



EP080549009



EP080549010

EP000000000

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EP000000000

**LINK CANYON ROAD - Emery County**  
**SGID RD\_ID RD080549**



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: LINK CANYON ROAD**

**County: Emery**

**County Road Number: 911**

**State Geographic Information Database (SGID) Road Identification Number: RD080549.**

**Total Road Length: 3.26 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 56 minutes 19.89 seconds North Latitude and -111 degrees 17 minutes 53.33 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,697,834.8 feet and Y = 6,782,290.4 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 54 minutes 51.51 seconds North Latitude and -111 degrees 15 minutes 55.65 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,707,157.1 feet and Y = 6,773,371.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 22 South Range 5 East, Section(s) 1, Salt Lake Base & Meridian  
Township 22 South Range 6 East, Section(s) 6,7,8, 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: LINK CANYON ROAD**

**County: Emery**

**County Road Number: 911**

**State Geographic Information Database (SGID) Road Identification Number: RD080549.**

**Total Road Length: 3.26 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>RD080549</b>	<b>001</b>	<b>BLM</b>	<b>3.18 Miles</b>	<b>A</b>
<b>RD080549</b>	<b>002</b>	<b>PVT</b>	<b>0.08 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>3.26</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 LAMOND GARDNER**

**LINK CANYON ROAD**

**EMERY COUNTY, UTAH**

**ROAD NUMBER 911**

State of Utah                    )  
  : ss.  
County of Emery                )

LAMOND GARDNER, 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 Link Canyon Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1940s, it followed the same route as in 2001 when I last observed it. Attached is an Emery County map showing Link Canyon 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 1940s and continuing through 1976 to 2001. Throughout this time period I have observed travel on the road by means of pickup trucks, cars, recreational vehicles. 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 early late 1940s to 2001, I have used the road myself for irrigation surveys 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, mining, oil and gas exploration, recreation, rock hounding, hunting and government access.

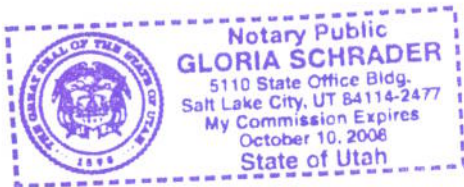
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 9 day of March, 2007.

Lamond Gardner  
LAMOND GARDNER

SUBSCRIBED AND SWORN to before me this 9<sup>th</sup> day of March, 2007.



Gloria Schrader  
NOTARY PUBLIC

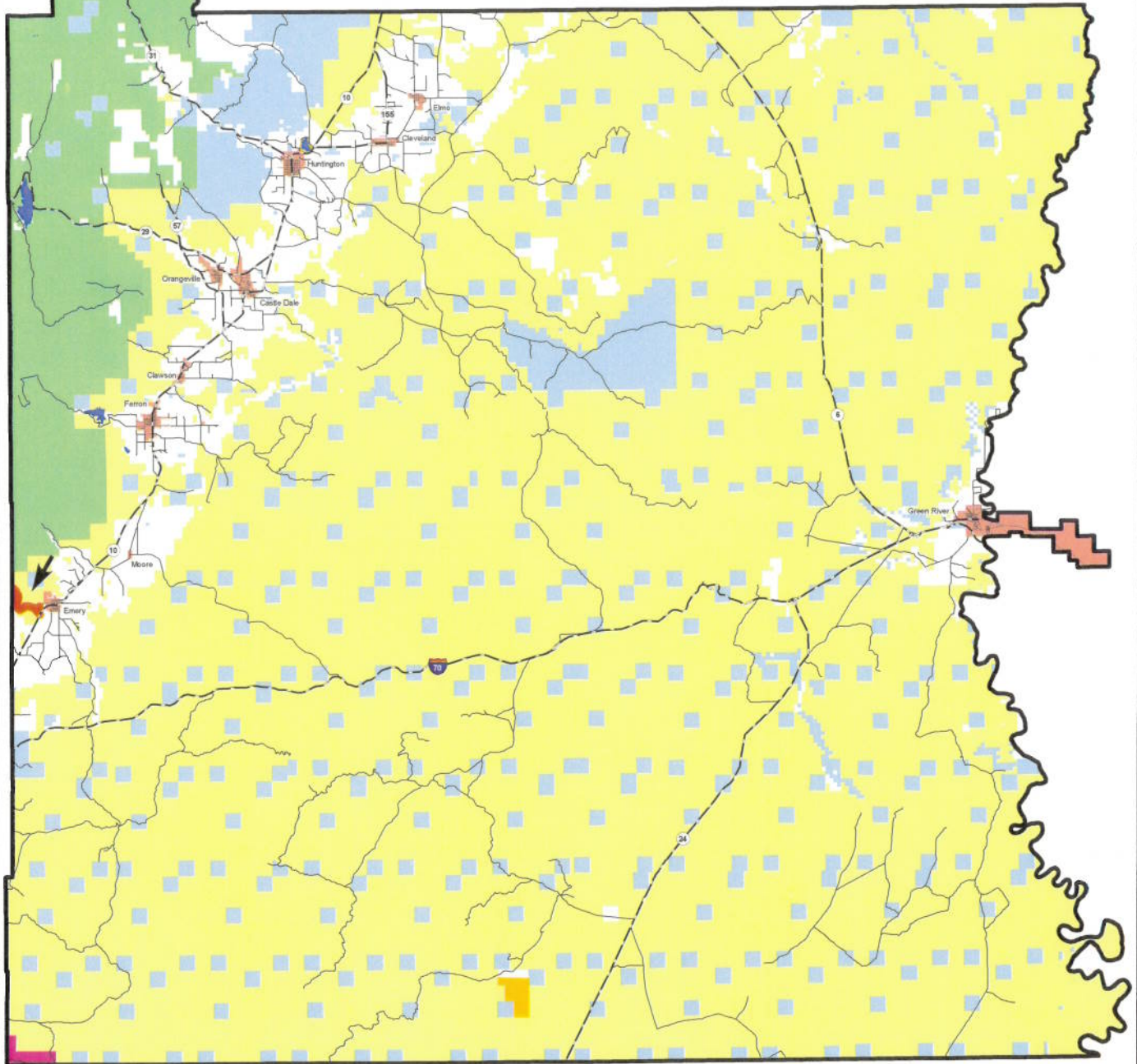
# Road #911

# Link Canyon

-  Link Canyon
-  Highway/Interstate
-  B Class Road



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



AFFIDAVIT OF ERIC BUNDERSON

LINK CANYON ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 911

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 Link Canyon 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 2005 when I last observed it. Attached is a Emery County map showing the Link Canyon 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 2005. Throughout this time period I have observed travel on the road by various means, including trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used weekly for more than ten continuous years prior to 1976, and is presently used weekly.

5. Throughout the time period from the early 1960s to 2005, I have used the road myself for livestock operations, fishing, hunting 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 mining, logging, government access and sight seeing.

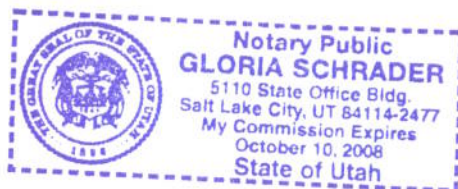
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 5 day of March, 2007.

*Eric Bunderson*  
ERIC BUNDERSON

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



*Gloria Schrader*  
NOTARY PUBLIC

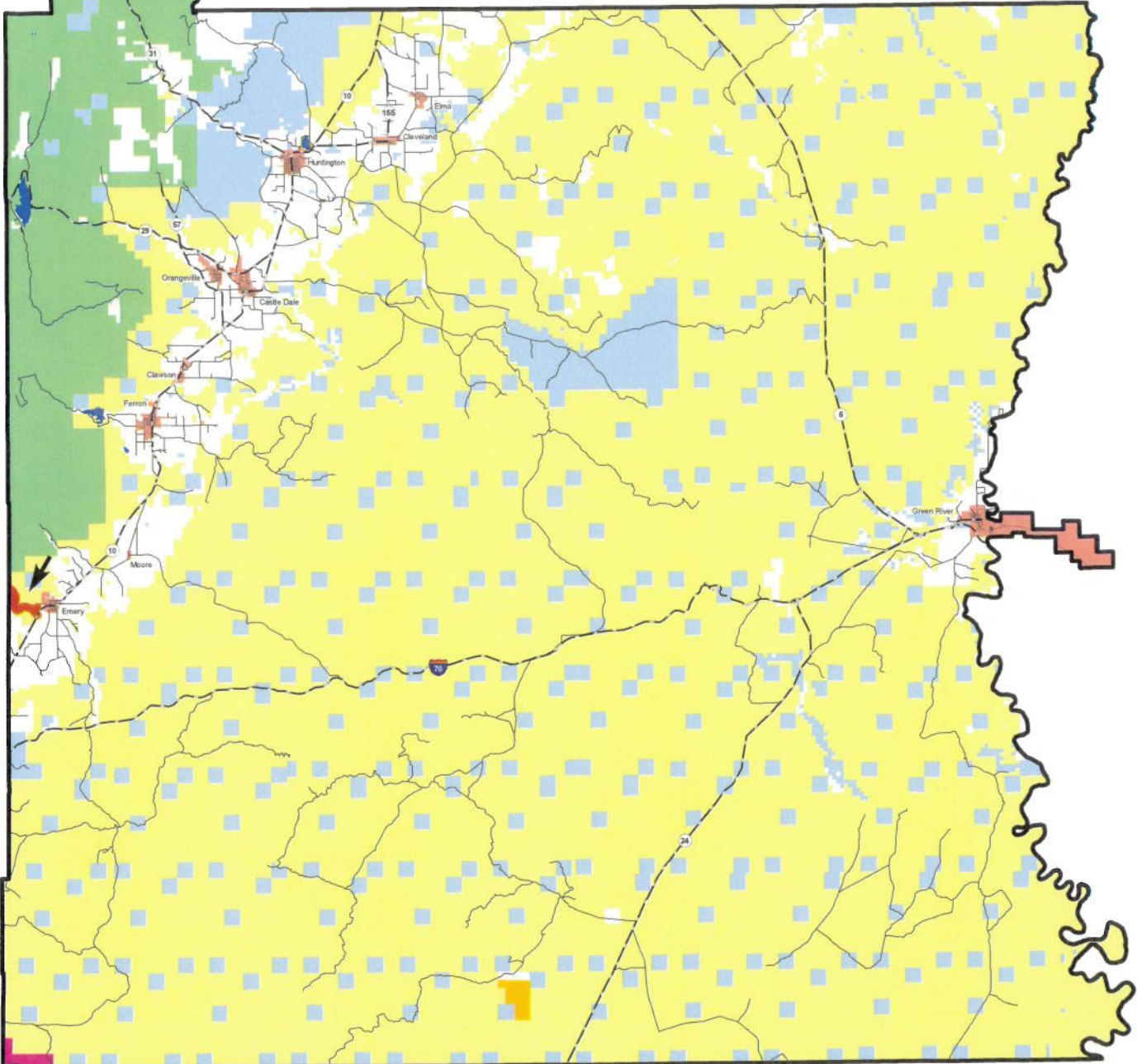
# Road #911

# Link Canyon

-  Link Canyon
-  Highway/Interstate
-  B Class Road



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



## Appendix A to Attachment 4

**Popular Name: LINK CANYON ROAD**

**County: Emery**

**County Road Number: 911**

**State Geographic Information Database (SGID) Road Identification Number: RD080549.**

**Road-Segment Number: 001**

**Road-Segment Length: 3.18 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 22 South Range 6 East, Section(s) 6,7,8, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (LINK CANYON 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 38 degrees 56 minutes 19.89 seconds North Latitude and -111 degrees 17 minutes 53.33 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,697,834.8 feet and Y = 6,782,290.4 feet; thence the following courses along the said road center line:

thence South 45 Degrees 19 Minutes 00 Seconds East	5.1 feet
thence South 44 Degrees 51 Minutes 09 Seconds East	114.7 feet
thence South 51 Degrees 18 Minutes 33 Seconds East	126.7 feet
thence South 51 Degrees 27 Minutes 02 Seconds East	128.1 feet
thence South 50 Degrees 23 Minutes 46 Seconds East	125.8 feet
thence South 50 Degrees 39 Minutes 57 Seconds East	124.5 feet
thence South 51 Degrees 12 Minutes 29 Seconds East	124.4 feet
thence South 51 Degrees 03 Minutes 26 Seconds East	132.3 feet
thence South 49 Degrees 22 Minutes 55 Seconds East	140.8 feet
thence South 49 Degrees 01 Minutes 02 Seconds East	140.2 feet
thence South 50 Degrees 55 Minutes 36 Seconds East	144.8 feet

thence South 60 Degrees 12 Minutes 26 Seconds East 147.2 feet  
 thence South 45 Degrees 12 Minutes 10 Seconds East 116.7 feet  
 thence South 01 Degrees 04 Minutes 49 Seconds West 94.2 feet  
 thence South 01 Degrees 53 Minutes 29 Seconds East 95.5 feet  
 thence South 14 Degrees 28 Minutes 38 Seconds East 110 feet  
 thence South 17 Degrees 49 Minutes 08 Seconds East 121.1 feet  
 thence South 16 Degrees 14 Minutes 30 Seconds East 128 feet  
 thence South 19 Degrees 03 Minutes 46 Seconds East 133.8 feet  
 thence South 26 Degrees 56 Minutes 33 Seconds East 138.4 feet  
 thence South 29 Degrees 27 Minutes 10 Seconds East 134.1 feet  
 thence South 49 Degrees 35 Minutes 26 Seconds East 130.8 feet  
 thence South 58 Degrees 16 Minutes 06 Seconds East 139.8 feet  
 thence South 56 Degrees 21 Minutes 19 Seconds East 134.5 feet  
 thence South 50 Degrees 18 Minutes 37 Seconds East 120 feet  
 thence South 37 Degrees 48 Minutes 07 Seconds East 110 feet  
 thence South 24 Degrees 58 Minutes 02 Seconds East 105.4 feet  
 thence South 11 Degrees 42 Minutes 02 Seconds East 99.8 feet  
 thence South 04 Degrees 23 Minutes 07 Seconds East 78.6 feet  
 thence South 09 Degrees 05 Minutes 59 Seconds East 77.4 feet  
 thence South 08 Degrees 50 Minutes 51 Seconds East 99.6 feet  
 thence South 01 Degrees 23 Minutes 51 Seconds East 87 feet  
 thence South 03 Degrees 42 Minutes 54 Seconds West 74.7 feet  
 thence South 02 Degrees 41 Minutes 45 Seconds West 93.7 feet  
 thence South 01 Degrees 55 Minutes 26 Seconds West 75.5 feet  
 thence South 04 Degrees 03 Minutes 00 Seconds West 90.5 feet  
 thence South 07 Degrees 38 Minutes 56 Seconds West 97.1 feet  
 thence South 11 Degrees 43 Minutes 33 Seconds West 125.9 feet  
 thence South 03 Degrees 49 Minutes 59 Seconds West 104.3 feet  
 thence South 10 Degrees 11 Minutes 10 Seconds West 118.8 feet  
 thence South 12 Degrees 35 Minutes 26 Seconds West 129.3 feet  
 thence South 16 Degrees 53 Minutes 06 Seconds West 125.4 feet  
 thence South 24 Degrees 15 Minutes 01 Seconds West 75.8 feet  
 thence South 23 Degrees 24 Minutes 13 Seconds West 23.7 feet  
 thence South 15 Degrees 04 Minutes 18 Seconds West 111.3 feet  
 thence South 09 Degrees 06 Minutes 10 Seconds West 144.4 feet  
 thence South 09 Degrees 47 Minutes 30 Seconds West 162.7 feet  
 thence South 13 Degrees 52 Minutes 45 Seconds West 171.3 feet  
 thence South 30 Degrees 51 Minutes 13 Seconds West 202.9 feet  
 thence South 42 Degrees 01 Minutes 30 Seconds West 130.1 feet  
 thence South 39 Degrees 12 Minutes 54 Seconds West 158.3 feet  
 thence South 19 Degrees 36 Minutes 22 Seconds West 159.9 feet  
 thence South 12 Degrees 32 Minutes 29 Seconds West 154.9 feet  
 thence South 13 Degrees 43 Minutes 10 Seconds West 47.4 feet  
 thence South 13 Degrees 46 Minutes 06 Seconds West 93.1 feet  
 thence South 10 Degrees 56 Minutes 25 Seconds West 139.6 feet  
 thence South 04 Degrees 30 Minutes 36 Seconds West 148.2 feet  
 thence South 15 Degrees 32 Minutes 16 Seconds East 146.3 feet  
 thence South 23 Degrees 07 Minutes 31 Seconds East 145.6 feet  
 thence South 28 Degrees 11 Minutes 09 Seconds East 174.1 feet

thence South 28 Degrees 58 Minutes 29 Seconds East 188.9 feet  
 thence South 29 Degrees 22 Minutes 16 Seconds East 196 feet  
 thence South 29 Degrees 14 Minutes 57 Seconds East 209.6 feet  
 thence South 29 Degrees 31 Minutes 55 Seconds East 215.9 feet  
 thence South 28 Degrees 09 Minutes 14 Seconds East 211.6 feet  
 thence South 34 Degrees 38 Minutes 15 Seconds East 206.7 feet  
 thence South 51 Degrees 20 Minutes 59 Seconds East 200.9 feet  
 thence South 68 Degrees 26 Minutes 49 Seconds East 204.4 feet  
 thence South 88 Degrees 11 Minutes 30 Seconds East 185.9 feet  
 thence North 73 Degrees 54 Minutes 32 Seconds East 181.1 feet  
 thence North 57 Degrees 41 Minutes 22 Seconds East 172.2 feet  
 thence North 49 Degrees 16 Minutes 00 Seconds East 165.5 feet  
 thence North 50 Degrees 25 Minutes 28 Seconds East 171.7 feet  
 thence North 52 Degrees 07 Minutes 58 Seconds East 188 feet  
 thence North 50 Degrees 58 Minutes 49 Seconds East 205.2 feet  
 thence North 51 Degrees 21 Minutes 05 Seconds East 205.9 feet  
 thence North 50 Degrees 12 Minutes 23 Seconds East 197.7 feet  
 thence North 50 Degrees 37 Minutes 58 Seconds East 188.1 feet  
 thence North 51 Degrees 40 Minutes 28 Seconds East 185 feet  
 thence North 54 Degrees 27 Minutes 56 Seconds East 116.1 feet  
 thence North 53 Degrees 58 Minutes 35 Seconds East 25.9 feet  
 thence North 57 Degrees 40 Minutes 40 Seconds East 6.2 feet  
 thence North 64 Degrees 34 Minutes 06 Seconds East 127.6 feet  
 thence North 77 Degrees 46 Minutes 24 Seconds East 184.5 feet  
 thence South 87 Degrees 55 Minutes 19 Seconds East 180.7 feet  
 thence South 78 Degrees 31 Minutes 53 Seconds East 225 feet  
 thence South 77 Degrees 56 Minutes 01 Seconds East 182.1 feet  
 thence South 78 Degrees 00 Minutes 58 Seconds East 44.7 feet  
 thence South 77 Degrees 37 Minutes 15 Seconds East 207.6 feet  
 thence South 77 Degrees 04 Minutes 53 Seconds East 205 feet  
 thence South 76 Degrees 53 Minutes 23 Seconds East 202.1 feet  
 thence South 78 Degrees 11 Minutes 49 Seconds East 209.5 feet  
 thence South 77 Degrees 06 Minutes 41 Seconds East 214.1 feet  
 thence South 77 Degrees 39 Minutes 13 Seconds East 212.6 feet  
 thence South 77 Degrees 25 Minutes 07 Seconds East 204.4 feet  
 thence South 77 Degrees 02 Minutes 53 Seconds East 190.2 feet  
 thence South 77 Degrees 03 Minutes 34 Seconds East 193.2 feet  
 thence South 77 Degrees 49 Minutes 17 Seconds East 183.6 feet  
 thence South 75 Degrees 10 Minutes 19 Seconds East 164.6 feet  
 thence South 49 Degrees 51 Minutes 16 Seconds East 132 feet  
 thence South 37 Degrees 23 Minutes 05 Seconds East 190 feet  
 thence South 37 Degrees 06 Minutes 14 Seconds East 227.5 feet  
 thence South 34 Degrees 51 Minutes 16 Seconds East 233.9 feet  
 thence South 33 Degrees 52 Minutes 30 Seconds East 237.5 feet  
 thence South 33 Degrees 40 Minutes 24 Seconds East 234.6 feet  
 thence South 32 Degrees 25 Minutes 03 Seconds East 229.8 feet  
 thence South 30 Degrees 41 Minutes 00 Seconds East 221.4 feet  
 thence South 33 Degrees 46 Minutes 23 Seconds East 200.6 feet  
 thence South 46 Degrees 05 Minutes 52 Seconds East 187.3 feet



thence South 51 Degrees 51 Minutes 39 Seconds East 187.4 feet

thence South 50 Degrees 33 Minutes 03 Seconds East 183.2 feet

thence South 45 Degrees 28 Minutes 14 Seconds East 173.1 feet

thence South 44 Degrees 11 Minutes 37 Seconds East 59.2 feet more or less to **the ending**

**point at:** 38 degrees 54 minutes 53.53 seconds North Latitude and -111 degrees 15 minutes 59.88 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,706,822.5 feet and Y = 6,773,574.6 feet.