

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 MORTENSON SPUR; County Road Number: 913; State Geographic Information Database (SGID) Road Identification Number: RD080551. Total road length is 1.52 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.

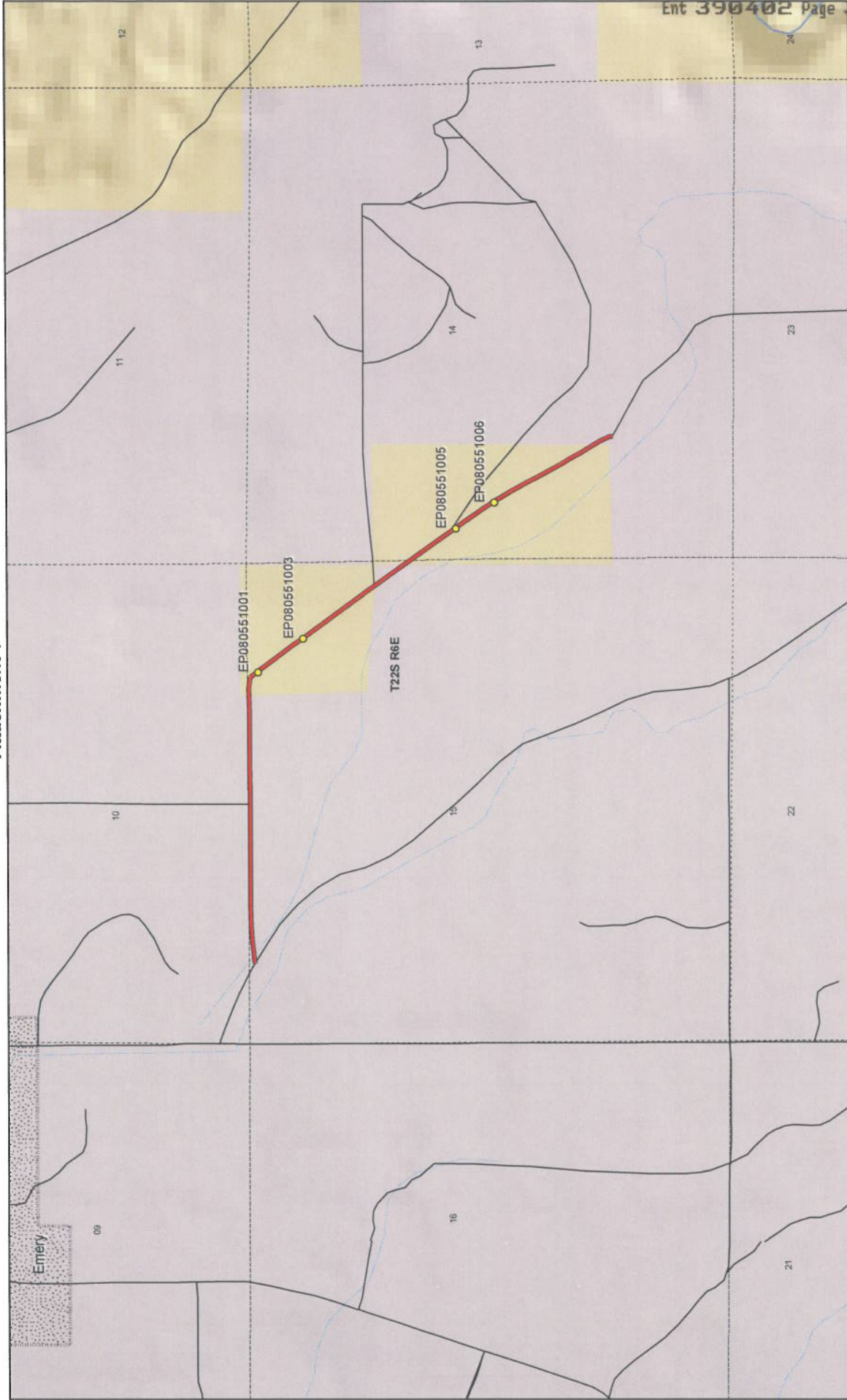
A printed copy of a map showing the location of the road in said county is appended hereto as “Attachment 1,” a printed copy of representative photos of the road is appended hereto as “Attachment 2,” a printed copy of a description of the beginning and ending points of the entire road together with a 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.

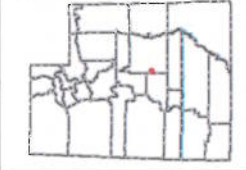
An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the







1:17,729  
1 inch equals 0.3 miles



- MORTENSON SPUR - Emery County**  
**SGID RD\_ID RD080551**
- 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**
- MORTENSON SPUR
  - Other Roads
  - Title V, Issued Or Under Application By ECU
  - 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



EP080551001



EP080551003



EP080551005



EP080551006

EP000000000

EP000000000

**MORTENSON SPUR - Emery County**  
**SGID RD\_ID RD080551**

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: MORTENSON SPUR**

**County: Emery**

**County Road Number: 913**

**State Geographic Information Database (SGID) Road Identification Number: RD080551.**

**Total Road Length: 1.52 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 54 minutes 35.52 seconds North Latitude and -111 degrees 14 minutes 23.81 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,714,421.1 feet and Y = 6,771,774.0 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 53 minutes 56.09 seconds North Latitude and -111 degrees 13 minutes 09.55 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,720,303.6 feet and Y = 6,767,801.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 22 South Range 6 East, Section(s) 14,15, 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: MORTENSON SPUR**

**County: Emery**

**County Road Number: 913**

**State Geographic Information Database (SGID) Road Identification Number: RD080551.**

**Total Road Length: 1.52 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>RD080551</b>	<b>001</b>	<b>PVT</b>	<b>0.56 Miles</b>	<b>(not shown)</b>
<b>RD080551</b>	<b>002</b>	<b>BLM</b>	<b>0.36 Miles</b>	<b>A</b>
<b>RD080551</b>	<b>003</b>	<b>PVT</b>	<b>0.08 Miles</b>	<b>(not shown)</b>
<b>RD080551</b>	<b>004</b>	<b>BLM</b>	<b>0.47 Miles</b>	<b>B</b>
<b>RD080551</b>	<b>005</b>	<b>PVT</b>	<b>0.04 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>1.52</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**

**MORTENSON SPUR ROAD**

**EMERY COUNTY, UTAH**

**ROAD NUMBER 913**

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 Mortenson 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 2006 when I last observed it. Attached is an Emery County map showing Mortenson 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 2006. Throughout this time period I have observed travel on the road by means of pickup trucks, 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 1950s to 2006, I have used the road myself for verifying water rights, recreation 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 rock hounding, farming, livestock operations, tourism, hunting and government access.

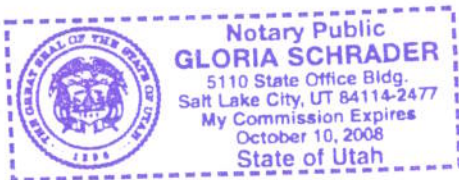
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 9 day of March, 2007.

  
LAMOND GARDNER

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



  
NOTARY PUBLIC

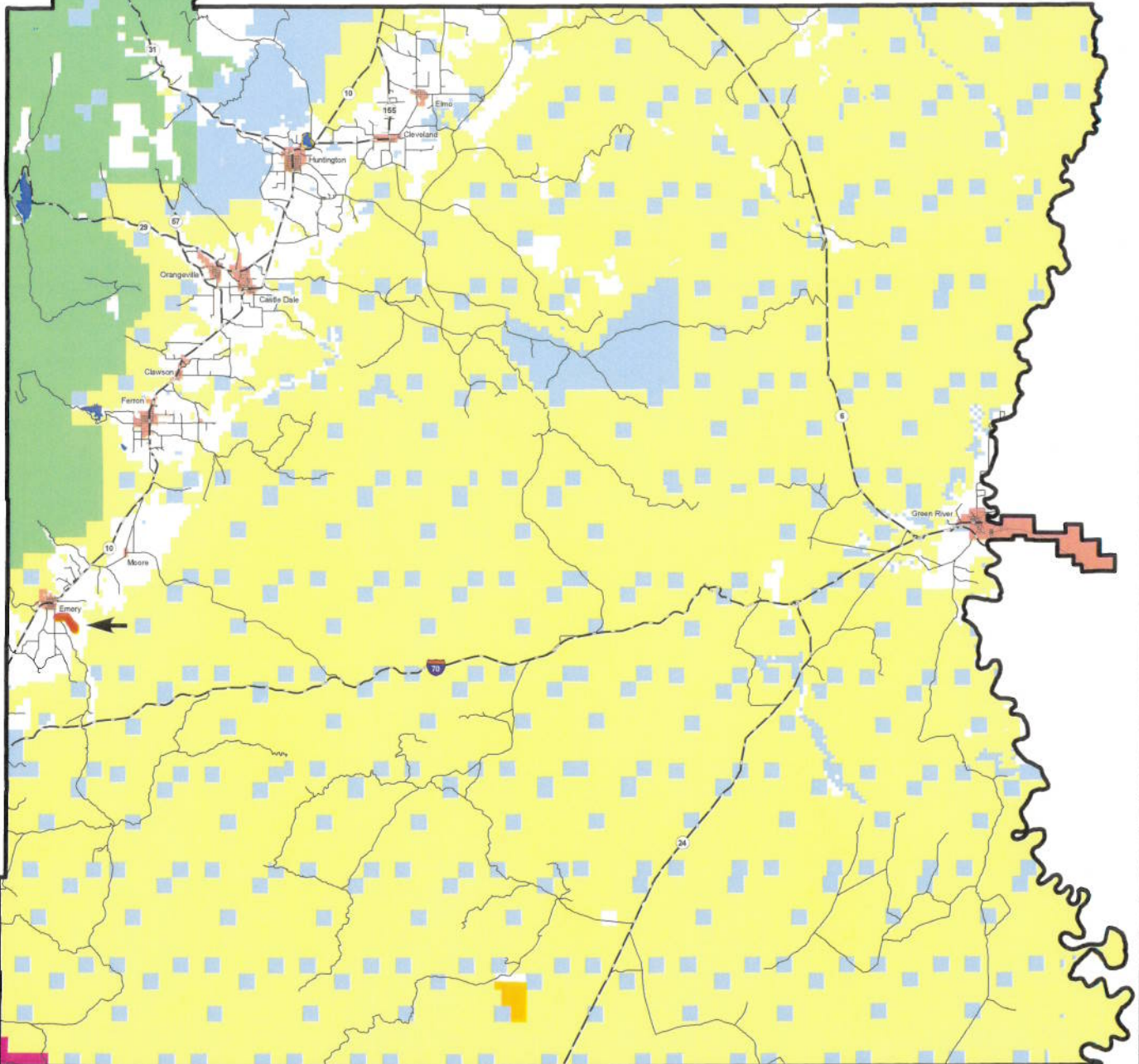
# Road #913

# Mortenson Spur

-  Mortenson Spur
-  Highway/Interstate
-  B Class Road



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



**AFFIDAVIT OF MORRIS SORENSEN**

**MORTENSON SPUR ROAD**

**EMERY COUNTY, UTAH**

**ROAD NUMBER 913**

State of Utah )  
 : ss.  
County of Emery )

MORRIS SORENSEN, 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 most of my life. I have been employed by the Emery County Road Department for 23 years and am currently the County Road Supervisor.

2. I have traveled and am familiar with a road in Emery County known as Mortenson 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 2007 when I last observed it. Attached is an Emery County map showing Mortenson 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 2007. 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 1940s to 2007, I have used the road myself for livestock operations, county road maintenance, farming, mining exploration, hunting 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 wood gathering and government access.

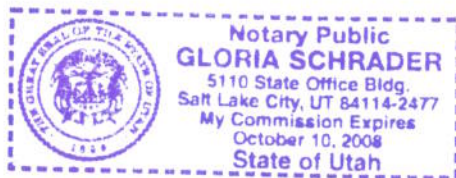
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 9 day of March, 2007.

Morris Sorenson  
MORRIS SORENSEN

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



Gloria Schrader  
NOTARY PUBLIC

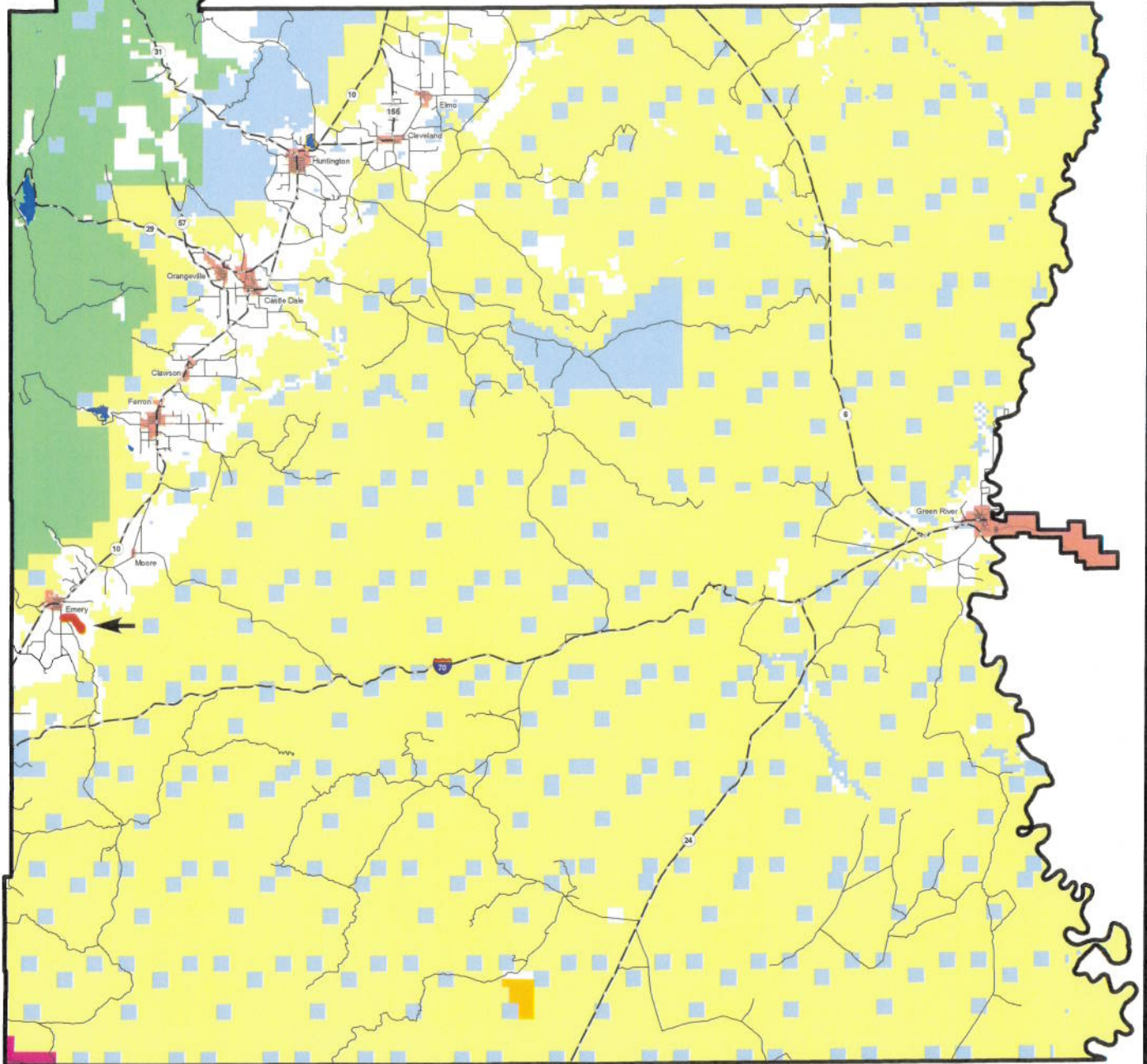
# Road #913

# Mortenson Spur

-  Mortenson Spur
-  Highway/Interstate
-  B Class Road



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





## Appendix A to Attachment 4

**Popular Name: MORTENSON SPUR**

**County: Emery**

**County Road Number: 913**

**State Geographic Information Database (SGID) Road Identification Number: RD080551.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.36 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) 15, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (MORTENSON 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 38 degrees 54 minutes 36.17 seconds North Latitude and -111 degrees 13 minutes 46.12 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,717,400.3 feet and Y = 6,771,847.9 feet; thence the following courses along the said road center line:

thence North 88 Degrees 26 Minutes 33 Seconds East 75.8 feet  
thence South 81 Degrees 22 Minutes 04 Seconds East 126.6 feet  
thence South 39 Degrees 23 Minutes 31 Seconds East 141.6 feet  
thence South 36 Degrees 01 Minutes 10 Seconds East 212.6 feet  
thence South 36 Degrees 13 Minutes 53 Seconds East 244 feet  
thence South 35 Degrees 44 Minutes 42 Seconds East 258.2 feet  
thence South 35 Degrees 54 Minutes 52 Seconds East 257.1 feet  
thence South 35 Degrees 59 Minutes 26 Seconds East 257.8 feet  
thence South 36 Degrees 01 Minutes 46 Seconds East 263.2 feet  
thence South 35 Degrees 39 Minutes 03 Seconds East 85.7 feet more or less to **the ending**

**point at:** 38 degrees 54 minutes 22.25 seconds North Latitude and -111 degrees 13 minutes 30.77 seconds



West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,718,618.3 feet and Y = 6,770,443.9 feet.

## Appendix B to Attachment 4

**Popular Name: MORTENSON SPUR**

**County: Emery**

**County Road Number: 913**

**State Geographic Information Database (SGID) Road Identification Number: RD080551.**

**Road-Segment Number: 004**

**Road-Segment Length: 0.47 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) 14,15, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (MORTENSON 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 38 degrees 54 minutes 18.84 seconds North Latitude and -111 degrees 13 minutes 27.64 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,718,866.3 feet and Y = 6,770,099.7 feet; thence the following courses along the said road center line:

thence South 35 Degrees 29 Minutes 02 Seconds East	35.3 feet
thence South 35 Degrees 34 Minutes 49 Seconds East	39.8 feet
thence South 35 Degrees 32 Minutes 20 Seconds East	221.4 feet
thence South 36 Degrees 34 Minutes 02 Seconds East	254.8 feet
thence South 36 Degrees 02 Minutes 14 Seconds East	72 feet
thence South 35 Degrees 45 Minutes 40 Seconds East	139.8 feet
thence South 35 Degrees 20 Minutes 23 Seconds East	152.7 feet
thence South 35 Degrees 41 Minutes 45 Seconds East	123.6 feet
thence South 35 Degrees 26 Minutes 00 Seconds East	62.2 feet
thence South 34 Degrees 27 Minutes 54 Seconds East	45.6 feet
thence South 34 Degrees 53 Minutes 30 Seconds East	59 feet

thence South 33 Degrees 21 Minutes 46 Seconds East 72.8 feet  
thence South 31 Degrees 31 Minutes 16 Seconds East 67.2 feet  
thence South 30 Degrees 16 Minutes 15 Seconds East 67.1 feet  
thence South 29 Degrees 26 Minutes 53 Seconds East 72.1 feet  
thence South 29 Degrees 22 Minutes 19 Seconds East 71 feet  
thence South 28 Degrees 25 Minutes 36 Seconds East 59.9 feet  
thence South 28 Degrees 25 Minutes 07 Seconds East 76.6 feet  
thence South 28 Degrees 38 Minutes 01 Seconds East 81.7 feet  
thence South 28 Degrees 24 Minutes 54 Seconds East 87.8 feet  
thence South 29 Degrees 20 Minutes 02 Seconds East 96.1 feet  
thence South 29 Degrees 20 Minutes 07 Seconds East 99.5 feet  
thence South 29 Degrees 46 Minutes 39 Seconds East 90.1 feet  
thence South 29 Degrees 38 Minutes 49 Seconds East 73 feet  
thence South 30 Degrees 22 Minutes 35 Seconds East 89.1 feet  
thence South 30 Degrees 31 Minutes 43 Seconds East 120 feet  
thence South 30 Degrees 44 Minutes 52 Seconds East 54.4 feet more or less to **the ending**

**point at:** 38 degrees 53 minutes 58.16 seconds North Latitude and -111 degrees 13 minutes 10.77 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,720,206.3 feet and Y = 6,768,011.7 feet.