

Ent 390409 Page 1 of 13  
Date: 07-MAY-2008 12:56PM  
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 ALBRECH RESERVOIR ROAD; County Road Number: 922; State Geographic Information Database (SGID) Road Identification Number: RD080560. Total road length is 1.01 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         )

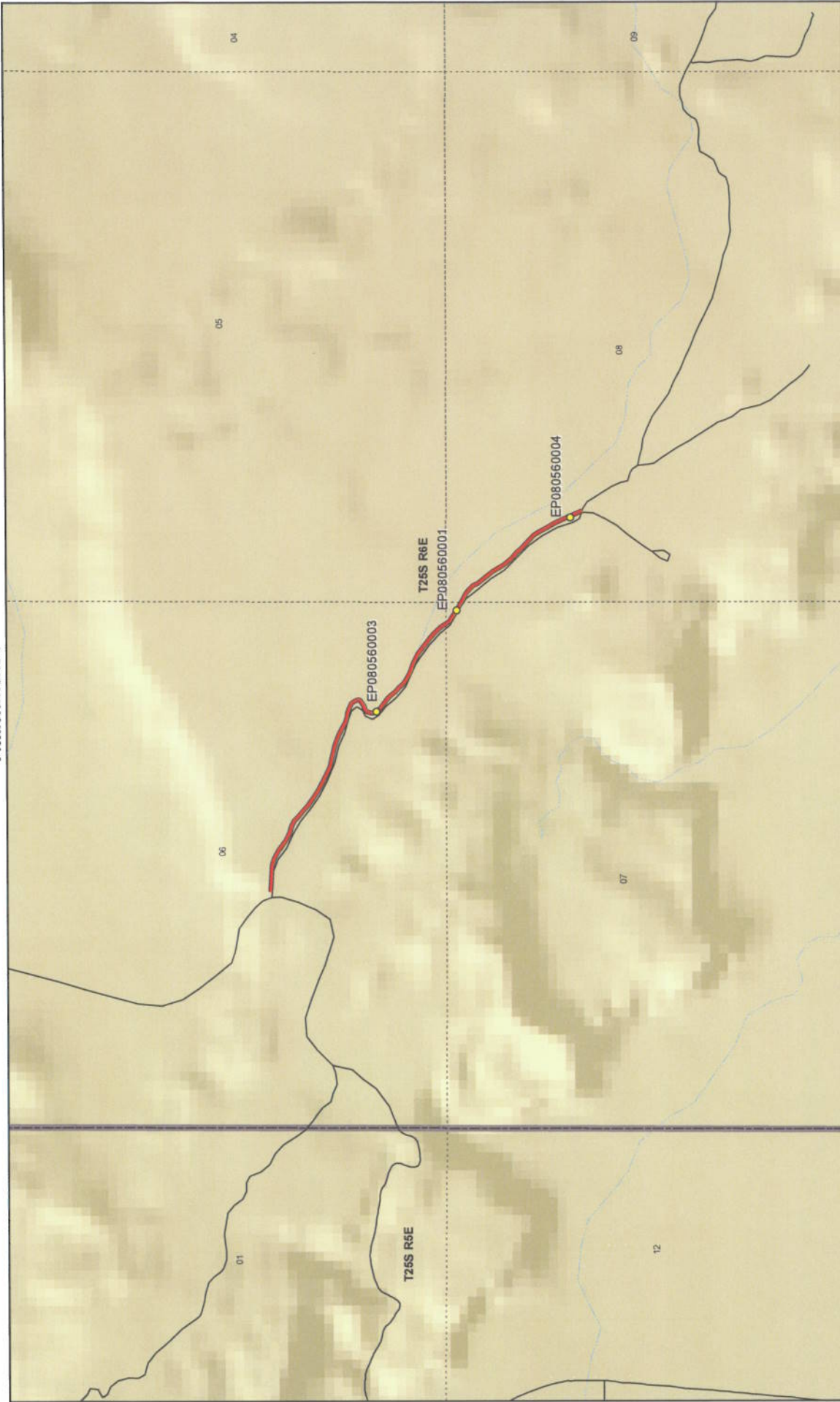
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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





**ALBRECH RESERVOIR ROAD - Emery County**  
**SGID RD\_ID RD080560**

**Land Ownership Categories**

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

**Transportation Network**

- ALBRECH RESERVOIR 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  
Office of Public Safety Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Jan 28, 2008





1:15,923  
1 inch equals 0.3 miles



Attachment 2



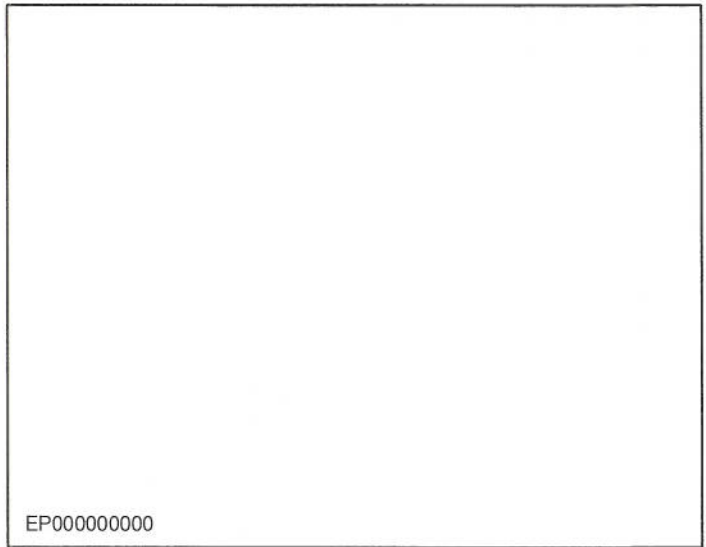
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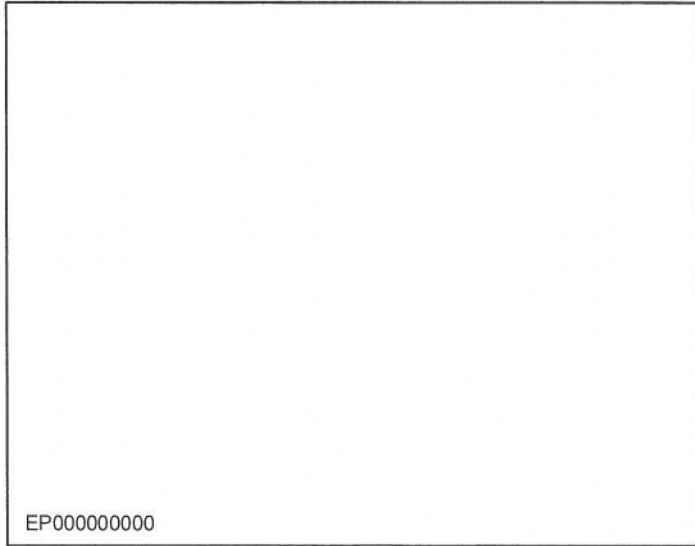
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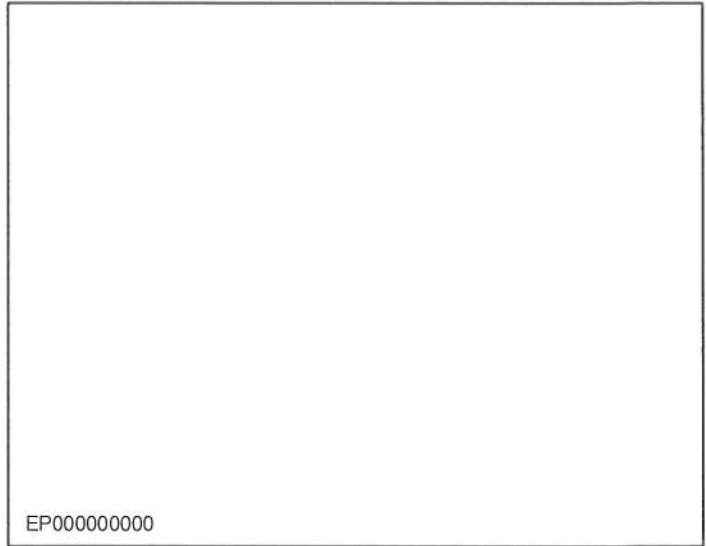
EP080560004



EP000000000



EP000000000



EP000000000

**ALBRECH RESERVOIR ROAD - Emery County**  
**SGID RD\_ID RD080560**

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: ALBRECH RESERVOIR ROAD**

**County: Emery**

**County Road Number: 922**

**State Geographic Information Database (SGID) Road Identification Number: RD080560.**

**Total Road Length: 1.01 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 39 minutes 46.53 seconds North Latitude and -111 degrees 17 minutes 055.8 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,697,866.1 feet and Y = 6,681,786.1 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 39 minutes 15.87 seconds North Latitude and -111 degrees 17 minutes 07.83 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,701,678.4 feet and Y = 6,678,692.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 25 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: ALBRECH RESERVOIR ROAD**

**County: Emery**

**County Road Number: 922**

**State Geographic Information Database (SGID) Road Identification Number: RD080560.**

**Total Road Length: 1.01 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>RD080560</b>	<b>001</b>	<b>BLM</b>	<b>1.01 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>1.01</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 RANDALL LAKE  
ALBRECH RESERVOIR ROAD  
EMERY COUNTY, UTAH  
ROAD NUMBER 922

State of Utah                    )  
  : ss.  
County of Emery                )

RANDALL LAKE, 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, 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 Albrech Reservoir Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1970s it followed the same route as in the late 1990s when I last observed it. Attached is a Emery County map showing the Albrech Reservoir 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 1970s and continuing through 1976 to the late 1990s. 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 weekly, weather permitting, for more than ten continuous years prior to 1976, and is presently used weekly, weather permitting.



5. Throughout the time period from the early 1970s to the late 1990s, I have used the road myself for hunting, recreation, vehicle recovery, search and rescue 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 livestock operations and tourism.

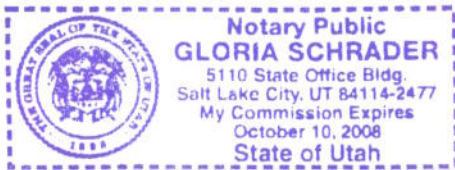
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 7 day of March, 2007.

Randall Lake  
RANDALL LAKE

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



Gloria Schrader  
NOTARY PUBLIC

# Road #922

# Albrech Reservoir

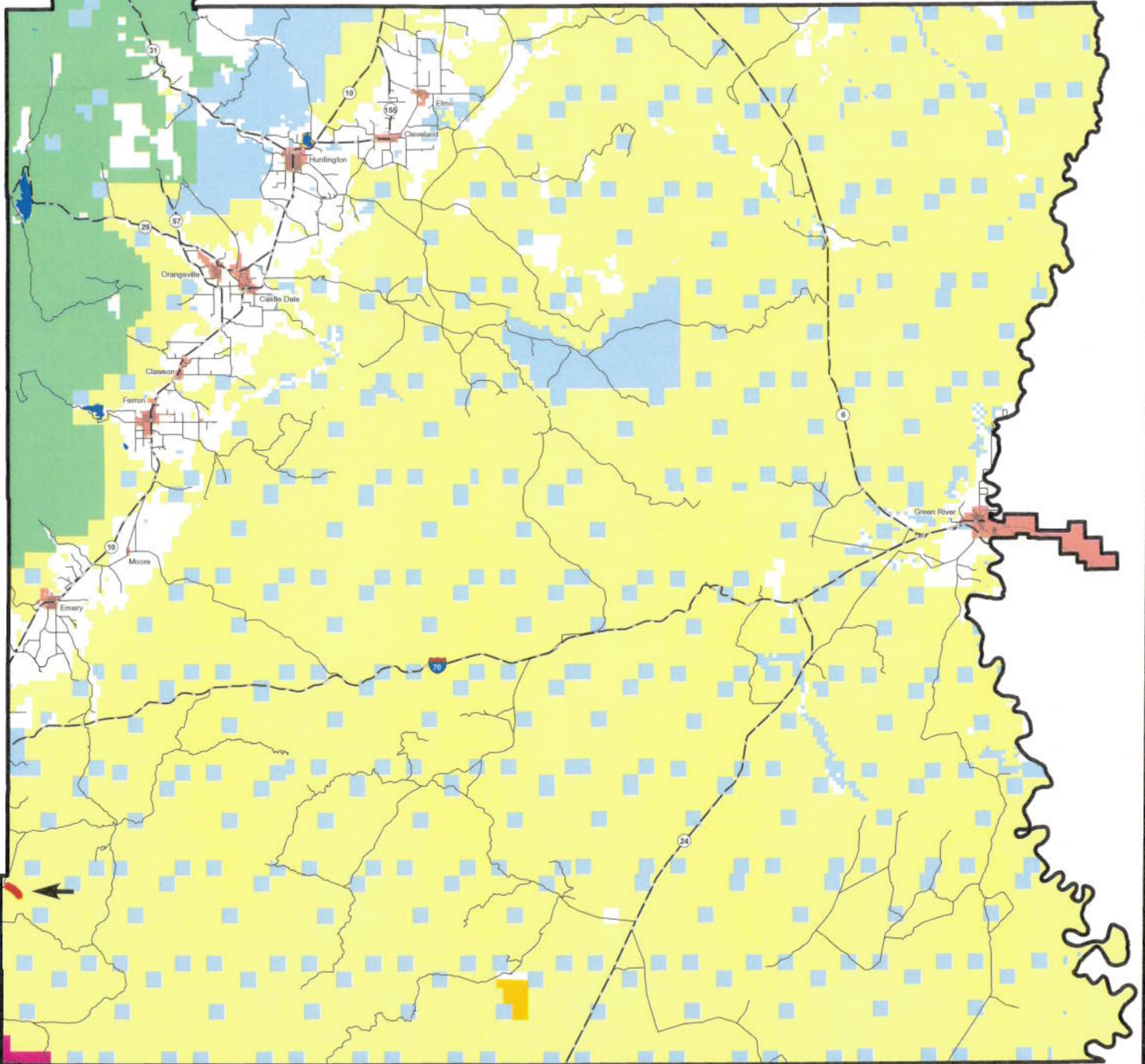
 **Abrech Reservoir**

 **Highway/Interstate**

 **B Class Road**

 **BLM**    **State**    **NPS**    **Water**

 **USFS**    **Private**    **USP**    **City Boundary**



AFFIDAVIT OF GARY PETTY  
ALBRECH RESERVOIR ROAD  
EMERY COUNTY, UTAH  
ROAD NUMBER 922

State of Utah                    )  
  : ss.  
County of Emery                )

GARY PETTY, 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, 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 Albrech Reservoir 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 2006 when I last observed it. Attached is a Emery County map showing the Albrech Reservoir 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 2006. 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 2006, I have used the road myself for the following uses: hunting, livestock operations, prospecting for minerals, wood gathering, recreation 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: oil and gas exploration, government access and mining.

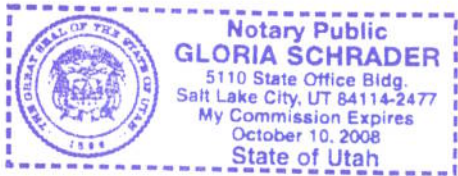
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 5 day of March, 2007.

  
GARY PETTY

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



  
NOTARY PUBLIC

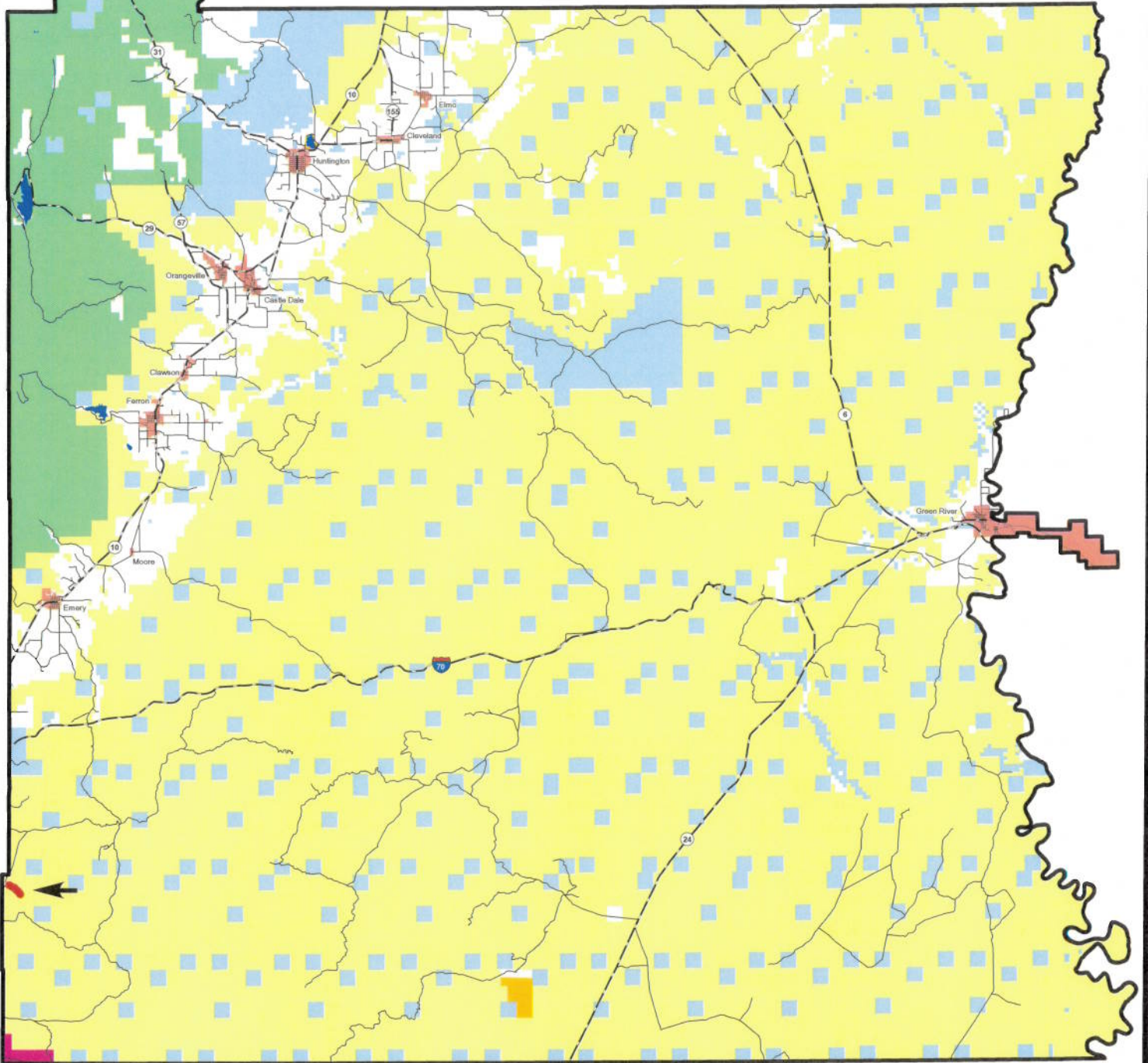
# Road #922

# Albrech Reservoir

-  Abrech Reservoir
-  Highway/Interstate
-  B Class Road



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





## Appendix A to Attachment 4

**Popular Name: ALBRECH RESERVOIR ROAD**

**County: Emery**

**County Road Number: 922**

**State Geographic Information Database (SGID) Road Identification Number: RD080560.**

**Road-Segment Number: 001**

**Road-Segment Length: 1.01 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 25 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 (ALBRECH RESERVOIR 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 39 minutes 46.53 seconds North Latitude and -111 degrees 17 minutes 055.8 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,697,866.1 feet and Y = 6,681,786.1 feet; thence the following courses along the said road center line:

thence South 88 Degrees 26 Minutes 59 Seconds East 100.8 feet  
thence South 86 Degrees 45 Minutes 12 Seconds East 163.8 feet  
thence South 73 Degrees 57 Minutes 24 Seconds East 68.8 feet  
thence South 60 Degrees 25 Minutes 15 Seconds East 93.5 feet  
thence South 54 Degrees 56 Minutes 41 Seconds East 117.9 feet  
thence South 61 Degrees 21 Minutes 52 Seconds East 35.3 feet  
thence South 64 Degrees 30 Minutes 51 Seconds East 55.1 feet  
thence South 74 Degrees 53 Minutes 01 Seconds East 65.4 feet  
thence South 63 Degrees 45 Minutes 01 Seconds East 63.1 feet  
thence South 48 Degrees 50 Minutes 28 Seconds East 49.1 feet  
thence South 48 Degrees 58 Minutes 33 Seconds East 69.1 feet



thence South 48 Degrees 29 Minutes 13 Seconds East 88.1 feet  
thence South 55 Degrees 01 Minutes 20 Seconds East 71.6 feet  
thence South 57 Degrees 15 Minutes 13 Seconds East 83 feet  
thence South 57 Degrees 47 Minutes 36 Seconds East 84.9 feet  
thence South 65 Degrees 45 Minutes 36 Seconds East 83.7 feet  
thence South 63 Degrees 51 Minutes 57 Seconds East 73 feet  
thence South 65 Degrees 39 Minutes 54 Seconds East 52.7 feet  
thence South 79 Degrees 35 Minutes 46 Seconds East 81.2 feet  
thence South 74 Degrees 53 Minutes 02 Seconds East 65.4 feet  
thence South 80 Degrees 17 Minutes 07 Seconds East 49 feet  
thence South 70 Degrees 34 Minutes 58 Seconds East 64.2 feet  
thence South 70 Degrees 44 Minutes 33 Seconds East 78.4 feet  
thence South 59 Degrees 32 Minutes 29 Seconds East 68 feet  
thence South 62 Degrees 55 Minutes 55 Seconds East 51.4 feet  
thence South 66 Degrees 58 Minutes 04 Seconds East 49.7 feet  
thence South 83 Degrees 56 Minutes 25 Seconds East 59.1 feet  
thence South 72 Degrees 52 Minutes 06 Seconds East 36.1 feet  
thence South 63 Degrees 37 Minutes 05 Seconds East 63.6 feet  
thence South 37 Degrees 25 Minutes 11 Seconds East 32.1 feet  
thence South 28 Degrees 27 Minutes 26 Seconds East 32 feet  
thence South 06 Degrees 58 Minutes 12 Seconds East 19.8 feet  
thence South 25 Degrees 48 Minutes 55 Seconds West 19.4 feet  
thence South 63 Degrees 41 Minutes 42 Seconds West 29.2 feet  
thence South 62 Degrees 07 Minutes 53 Seconds West 34.1 feet  
thence South 68 Degrees 52 Minutes 39 Seconds West 35.1 feet  
thence South 47 Degrees 10 Minutes 26 Seconds West 32.1 feet  
thence South 13 Degrees 58 Minutes 28 Seconds West 35.9 feet  
thence South 00 Degrees 18 Minutes 56 Seconds East 26.6 feet  
thence South 39 Degrees 30 Minutes 32 Seconds East 27.5 feet  
thence South 29 Degrees 55 Minutes 37 Seconds East 52.5 feet  
thence South 53 Degrees 14 Minutes 54 Seconds East 57.2 feet  
thence South 51 Degrees 55 Minutes 13 Seconds East 66.6 feet  
thence South 45 Degrees 18 Minutes 56 Seconds East 37.1 feet  
thence South 41 Degrees 27 Minutes 00 Seconds East 68.9 feet  
thence South 47 Degrees 03 Minutes 04 Seconds East 53.6 feet  
thence South 45 Degrees 18 Minutes 56 Seconds East 58.5 feet  
thence South 51 Degrees 15 Minutes 45 Seconds East 44.8 feet  
thence South 62 Degrees 51 Minutes 41 Seconds East 66.2 feet  
thence South 69 Degrees 10 Minutes 53 Seconds East 41.9 feet  
thence South 71 Degrees 15 Minutes 11 Seconds East 66.3 feet  
thence South 64 Degrees 35 Minutes 05 Seconds East 60.5 feet  
thence South 59 Degrees 07 Minutes 50 Seconds East 58.3 feet  
thence South 54 Degrees 20 Minutes 05 Seconds East 59.2 feet  
thence South 49 Degrees 45 Minutes 00 Seconds East 57 feet  
thence South 51 Degrees 56 Minutes 53 Seconds East 80.4 feet  
thence South 50 Degrees 28 Minutes 22 Seconds East 64.6 feet  
thence South 44 Degrees 22 Minutes 16 Seconds East 84.5 feet  
thence South 30 Degrees 47 Minutes 49 Seconds East 60.2 feet  
thence South 37 Degrees 11 Minutes 08 Seconds East 3.3 feet

thence South 35 Degrees 51 Minutes 12 Seconds East 45.2 feet  
 thence South 60 Degrees 06 Minutes 15 Seconds East 30 feet  
 thence South 53 Degrees 06 Minutes 57 Seconds East 68.4 feet  
 thence South 56 Degrees 44 Minutes 12 Seconds East 46.9 feet  
 thence South 63 Degrees 09 Minutes 02 Seconds East 56.1 feet  
 thence South 57 Degrees 34 Minutes 49 Seconds East 21.9 feet  
 thence South 57 Degrees 13 Minutes 26 Seconds East 34.9 feet  
 thence South 63 Degrees 45 Minutes 02 Seconds East 63.1 feet  
 thence South 52 Degrees 00 Minutes 25 Seconds East 41.8 feet  
 thence South 43 Degrees 54 Minutes 31 Seconds East 66.2 feet  
 thence South 26 Degrees 43 Minutes 20 Seconds East 53.1 feet  
 thence South 39 Degrees 29 Minutes 53 Seconds East 61.8 feet  
 thence South 38 Degrees 42 Minutes 39 Seconds East 66.6 feet  
 thence South 39 Degrees 01 Minutes 03 Seconds East 69.8 feet  
 thence South 28 Degrees 11 Minutes 38 Seconds East 51.2 feet  
 thence South 30 Degrees 14 Minutes 27 Seconds East 77.6 feet  
 thence South 38 Degrees 14 Minutes 43 Seconds East 60.3 feet  
 thence South 46 Degrees 51 Minutes 49 Seconds East 60.1 feet  
 thence South 48 Degrees 03 Minutes 49 Seconds East 58.1 feet  
 thence South 41 Degrees 06 Minutes 37 Seconds East 63.3 feet  
 thence South 46 Degrees 58 Minutes 26 Seconds East 104.3 feet  
 thence South 45 Degrees 07 Minutes 35 Seconds East 70.3 feet  
 thence South 33 Degrees 56 Minutes 22 Seconds East 78.8 feet  
 thence South 29 Degrees 56 Minutes 15 Seconds East 170.7 feet  
 thence South 24 Degrees 20 Minutes 42 Seconds East 142.7 feet  
 thence South 25 Degrees 07 Minutes 06 Seconds East 143.2 feet more or less to **the ending**

**point at:** 38 degrees 39 minutes 15.87 seconds North Latitude and -111 degrees 17 minutes 07.83 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,701,678.4 feet and Y = 6,678,692.6 feet.