

**Acknowledgment and  
Notice of Acknowledgment  
of Acceptance of R.S. 2477  
Right-of-Way Grant**

**ENTRY NO. 00139791**  
06/18/2008 02:09:21 PM B: 0351 P: 0093  
Easements and Right of Ways PAGE 1 / 13  
VERJEAN CARUSO, KANE COUNTY RECORDER  
FEE \$ 0.00 BY GOVERNOR OF UTAH



**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Kane County as it pertains to the highway located in Kane County known as Muddy Canyon Road; County Road Number: K2150; State Geographic Information Database (SGID) Road Identification Number: RD130181. Total road length is 3.05 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.

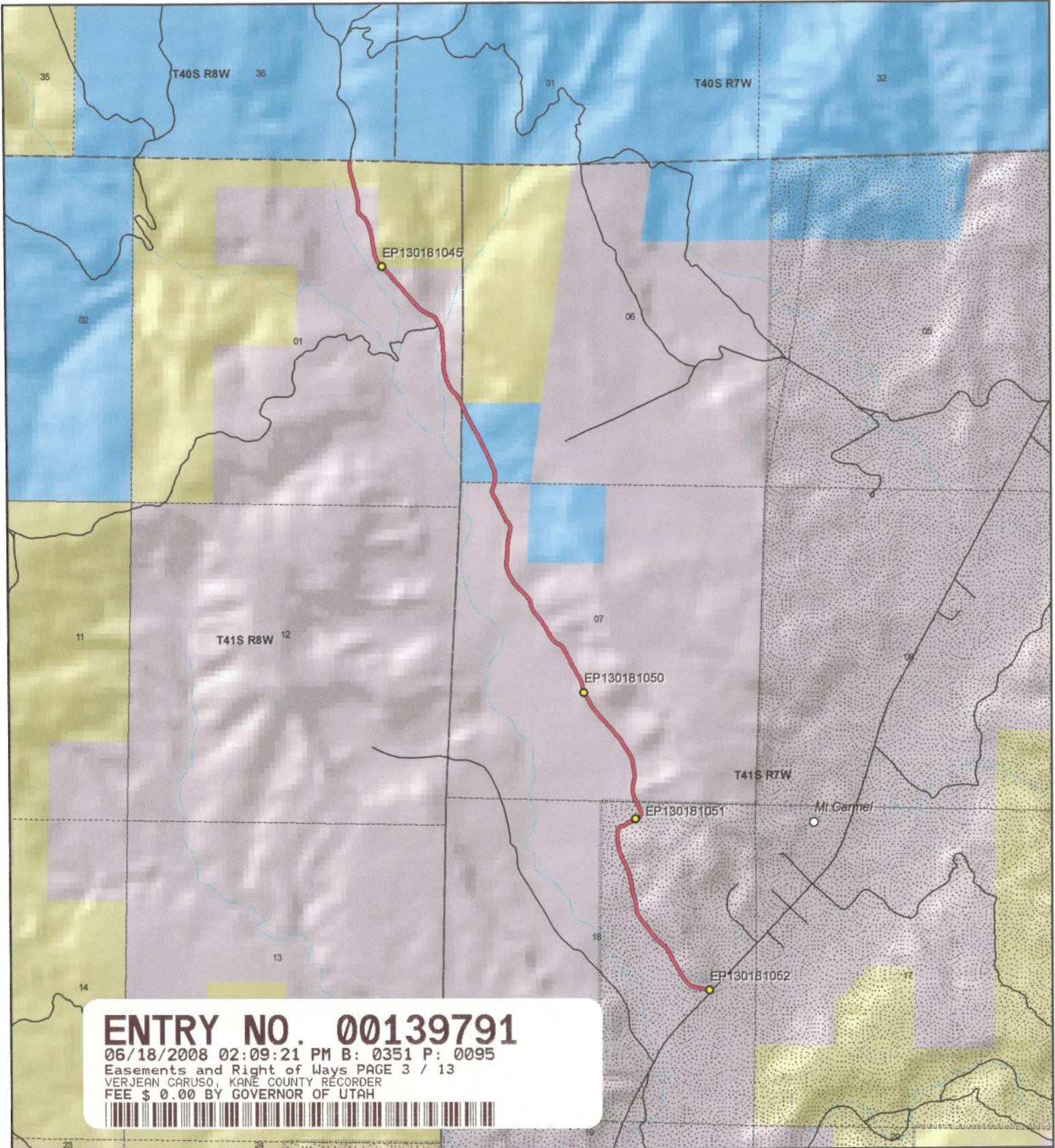
This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of 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





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**Muddy Canyon Road - Kane County**  
**SGID RD\_ID RD130181**

**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**

- Muddy Canyon Road
- Title V: Issued Or Under Consideration By BLM Or County
- Other Roads
- Photo Event Point
- Section = 1 Mile



1:25,893

1 inch equals 0.4 miles



Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Jun 10, 2008





EP130181045



EP130181050



EP130181051



EP130181052

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*Muddy Canyon Road - Kane County*

**SGID RD\_ID RD130181**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
June 10, 2008



## Attachment 3

### Beginning & Ending Points and Township, Range, and Section References For:

**Popular Name: Muddy Canyon Road**

**County: Kane**

**County Road Number: K2150**

**State Geographic Information Database (SGID) Road Identification Number: RD130181.**

**Total Road Length: 3.05 miles more or less.**

**Beginning at a point** on the road centerline located at 37 degrees 14 minutes 37.92 seconds North Latitude and -112 degrees 40 minutes 07.33 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,300,220.8 feet and Y = 10,054,794.6 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 37 degrees 16 minutes 52.68 seconds North Latitude and -112 degrees 41 minutes 23.34 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,294,248.9 feet and Y = 10,068,501.2 feet based on the US Survey Foot conversion.

This road may traverse:

Township 41 South Range 7 West, Section(s) 6,7,18, Salt Lake Base & Meridian

Township 41 South Range 8 West, Section(s) 1, Salt Lake Base & Meridian

See Attachment 1 above for a cartographic depiction of the course of this road.

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VERJEAN CARUSO, KANE COUNTY RECORDER

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**Attachment 4  
Road Centerline Description Cover Page(s)**

**Popular Name: Muddy Canyon Road**

**County: Kane**

**County Road Number: K2150**

**State Geographic Information Database (SGID) Road Identification Number: RD130181.**

**Total Road Length: 3.05 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>
RD130181	001	PVT	1.9 Miles	(not shown)
RD130181	002	ST	0.27 Miles	(not shown)
RD130181	003	PVT	0.53 Miles	(not shown)
RD130181	004	BLM	0.03 Miles	A
RD130181	005	PVT	0.24 Miles	(not shown)
RD130181	006	BLM	0.08 Miles	B
<b>Total Road Length</b>			<b>3.05</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.

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**Attachment 5**

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VERJEAN CARUSO, KANE COUNTY RECORDER

FEE \$ 0.00 BY GOVERNOR OF UTAH





Throughout this time period, the road has been used at least daily for more than ten continuous years prior to 1976, and is presently used daily.

4. Throughout the time period from the early 1940s to the present, I have used the road myself for livestock operations, travel in and through the area, hunting, sight seeing, and recreation.

5. Throughout the time period described in the previous paragraph, I have observed vehicles using the road at various times for the uses described in the previous paragraph, plus farming, access to private property and wood gathering.

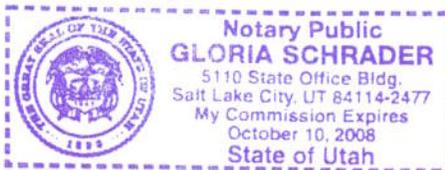
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least the late 1800's or early 1900's and continuing through 1976 to the present, for the uses described in the previous paragraphs. The pioneers used this road in the early settling of the area.

7. Prior to 1976, I have observed Kane County road crews grading and performing maintenance work on the road.

Dated this 15<sup>th</sup> day of May, 2007.

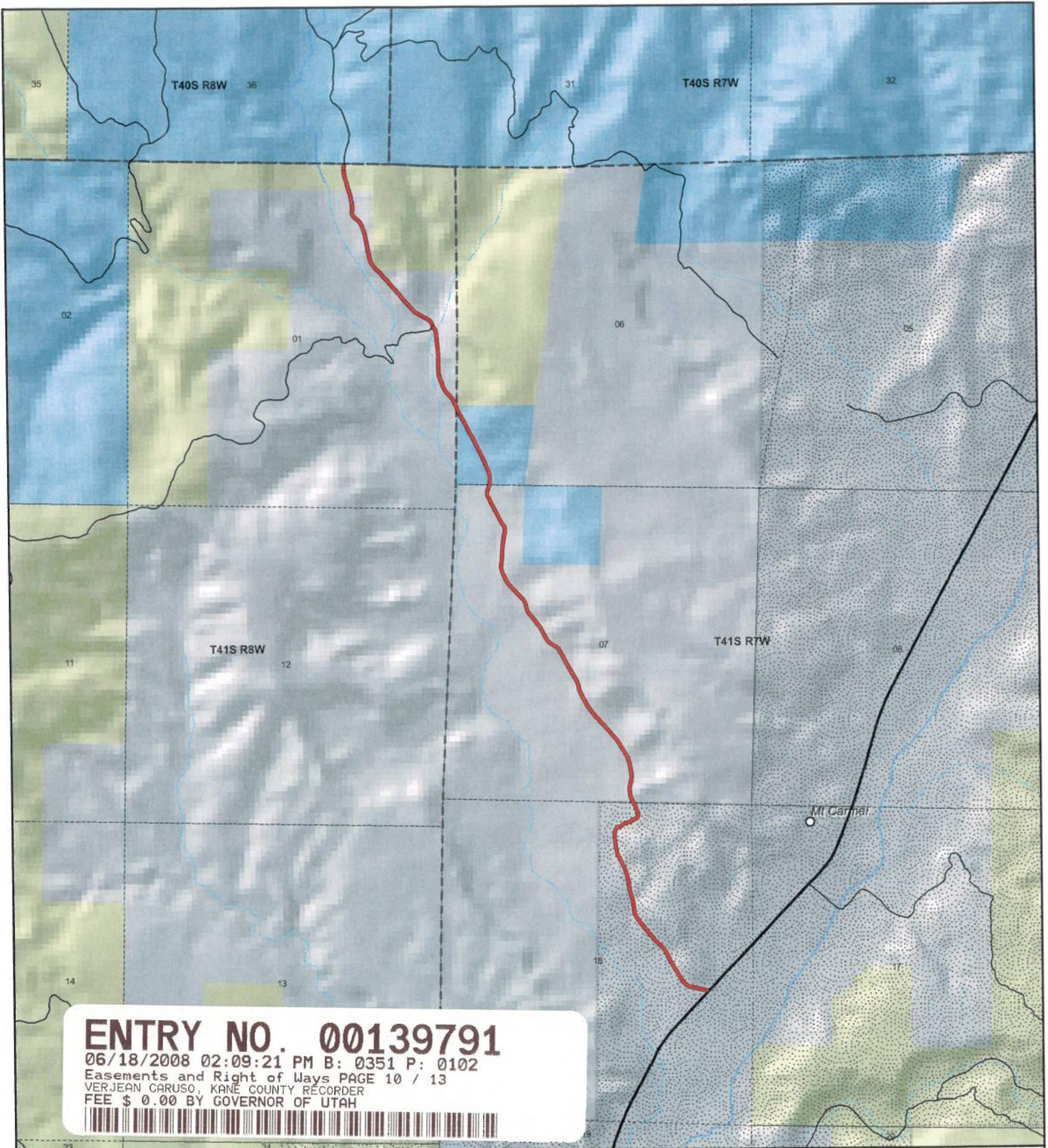
  
DORAN R. LAMB

SUBSCRIBED AND SWORN to before me this 15<sup>th</sup> day of May, 2007.



  
NOTARY PUBLIC

**ENTRY NO. 00139791**  
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**Muddy Canyon Road  
County Unique - K2150**

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- National Park/Monument (NPS)
- National Rec. Area
- Wilderness
- State Park

**Transportation Network**

- Muddy Canyon Road
- State / U.S. Highway
- Local Roads

**Misc**

- City / Town
- Municipalities
- Section = 1 Mile
- Monument Boundary

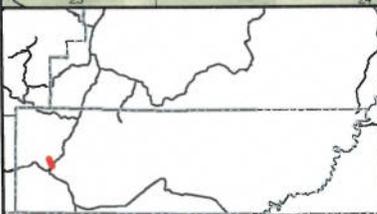


1:25,442

1 inch equals 0.4 miles



Map prepared by the State of Utah  
AGRC  
Room 5130 State Office Building  
Salt Lake City, Utah 84111-4  
May 07, 2007



**AFFIDAVIT OF NORMAN CARROLL**

**MUDDY CANYON ROAD**

**COUNTY ROAD NUMBER K2150**

**KANE COUNTY, UTAH**

State of Utah                    )  
  :SS  
County of Kane                 )

NORMAN CARROLL, 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 Orderville, Kane County. I was born in Kane County and have lived here my entire life, 77 years.

2. I have traveled and am familiar with a road in Kane County known as Muddy Canyon Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1940s, it followed the same route as in the 2007 when I last observed it. Attached is a Kane County map showing Muddy 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. The County also identifies this road according to the road number listed above.

3. 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 1940s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including automobiles (lower end), pickup trucks, ATVs and jeeps.

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Throughout this time period, the road has been used at least daily for more than ten continuous years prior to 1976, and is presently used daily.

4. Throughout the time period from the early 1940s to the present, I have used the road myself for travel in and through the area, hunting, sight seeing, and recreation.

5. Throughout the time period described in the previous paragraph, I have observed vehicles using the road at various times for the uses described in the previous paragraph, plus farming, livestock operations, access to private property.

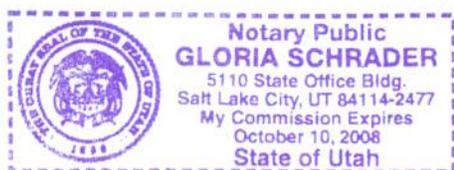
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least the late 1800's or early 1900's and continuing through 1976 to the present, for the uses described in the previous paragraphs. The pioneers used this road in the early settling of the area.

7. Prior to 1976, I have observed Kane County road crews grading and performing maintenance work on the road.

Dated this 15 day of May, 2007.

Norman Carroll  
NORMAN CARROLL

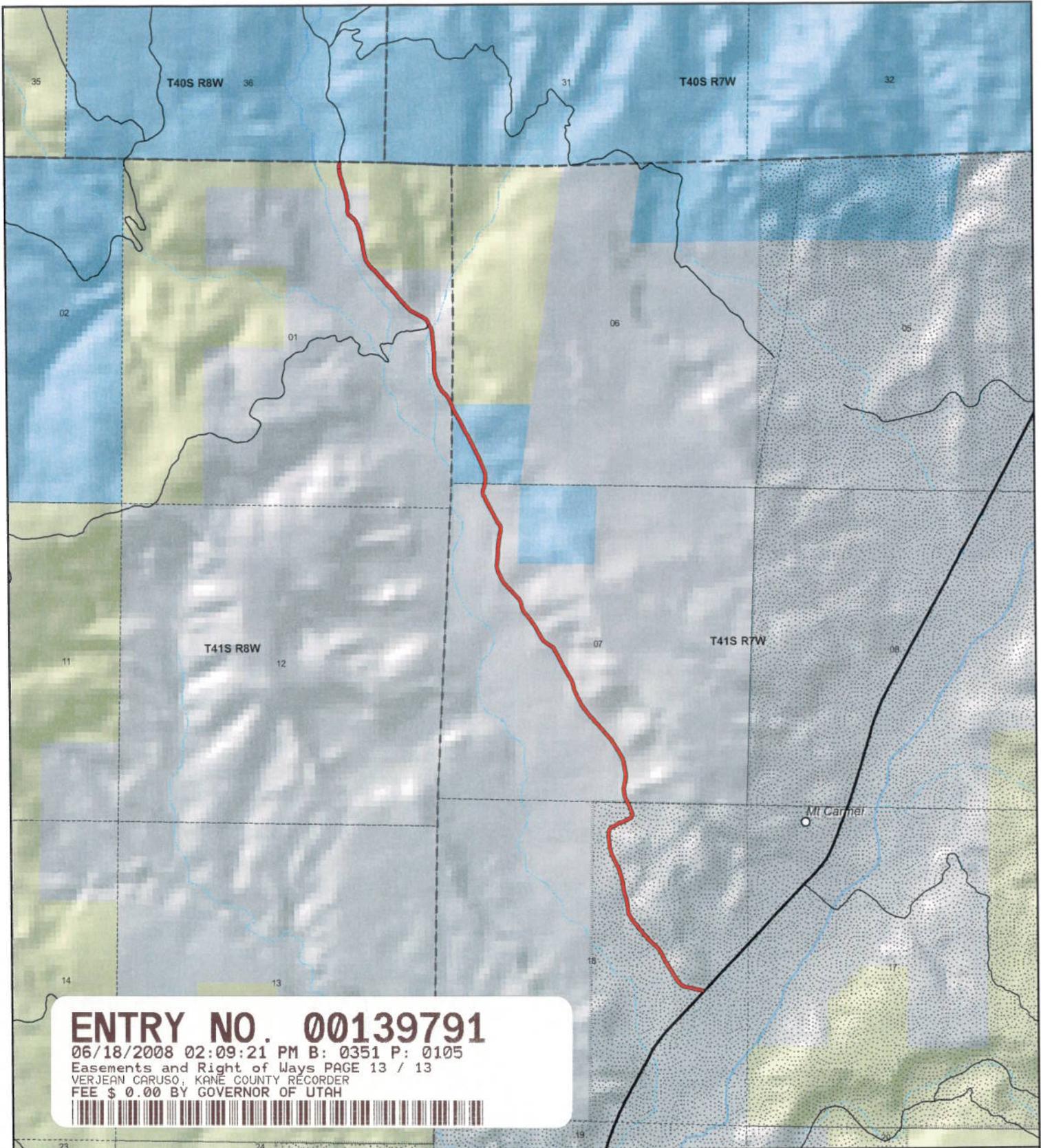
SUBSCRIBED AND SWORN to before me this 15th day of May, 2007.



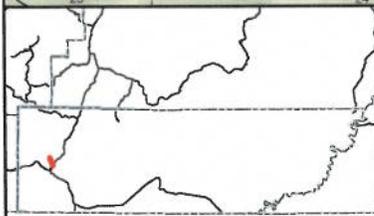
Gloria Schrader  
NOTARY PUBLIC

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**Muddy Canyon Road  
 County Unique - K2150**

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- National Park/Monument (NPS)
- National Rec. Area
- Wilderness
- State Park

**Transportation Network**

- Muddy Canyon Road
- State / U.S. Highway
- Local Roads

**Misc**

- City / Town
- Municipalities
- Section = 1 Mile
- Monument Boundary



1:25,442  
 1 inch equals 0.4 miles



Map prepared by the State of Utah  
 AGRC  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 May 07, 2007



## Appendix A to Attachment 4

**Popular Name: Muddy Canyon Road**

**County: Kane**

**County Road Number: K2150**

**State Geographic Information Database (SGID) Road Identification Number: RD130181.**

**Road-Segment Number: 004**

**Road-Segment Length: 0.03 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 41 South Range 8 West, Section(s) 1, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Muddy Canyon Road)-- 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 37 degrees 16 minutes 35.52 seconds North Latitude and -112 degrees 41 minutes 16.45 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,294,783.8 feet and Y = 10,066,758.9 feet; thence the following courses along the said road center line:

thence North 44 Degrees 49 Minutes 28 Seconds West 19.8 feet

thence North 46 Degrees 15 Minutes 30 Seconds West 24.8 feet

thence North 43 Degrees 23 Minutes 14 Seconds West 25.8 feet

thence North 36 Degrees 37 Minutes 04 Seconds West 50.9 feet

thence North 30 Degrees 45 Minutes 23 Seconds West 25.7 feet

thence North 24 Degrees 36 Minutes 47 Seconds West 19.8 feet more or less to **the ending**

**point at:** 37 degrees 16 minutes 36.81 seconds North Latitude and -112 degrees 41 minutes 17.72 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,294,682.4 feet and Y = 10,066,889.8 feet.

## Appendix B to Attachment 4

**Popular Name: Muddy Canyon Road**

**County: Kane**

**County Road Number: K2150**

**State Geographic Information Database (SGID) Road Identification Number: RD130181.**

**Road-Segment Number: 006**

**Road-Segment Length: 0.08 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 41 South Range 8 West, Section(s) 1, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Muddy Canyon Road)-- Segment 006 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 37 degrees 16 minutes 048.6 seconds North Latitude and -112 degrees 41 minutes 22.37 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,294,321.6 feet and Y = 10,068,087.4 feet; thence the following courses along the said road center line:

thence North 18 Degrees 01 Minutes 51 Seconds West 17 feet  
thence North 15 Degrees 36 Minutes 00 Seconds West 23 feet  
thence North 13 Degrees 48 Minutes 28 Seconds West 25.3 feet  
thence North 14 Degrees 37 Minutes 55 Seconds West 21.2 feet  
thence North 14 Degrees 19 Minutes 51 Seconds West 23.7 feet  
thence North 15 Degrees 15 Minutes 05 Seconds West 23.8 feet  
thence North 14 Degrees 47 Minutes 32 Seconds West 23.7 feet  
thence North 15 Degrees 21 Minutes 47 Seconds West 22.1 feet  
thence North 14 Degrees 07 Minutes 50 Seconds West 22.8 feet  
thence North 15 Degrees 54 Minutes 47 Seconds West 21.3 feet  
thence North 14 Degrees 49 Minutes 33 Seconds West 21.2 feet  
thence North 12 Degrees 44 Minutes 45 Seconds West 21 feet

thence North 10 Degrees 11 Minutes 15 Seconds West 20.8 feet  
thence North 08 Degrees 02 Minutes 22 Seconds West 20.7 feet  
thence North 05 Degrees 41 Minutes 15 Seconds West 20.6 feet  
thence North 02 Degrees 40 Minutes 50 Seconds West 19.7 feet  
thence North 05 Degrees 04 Minutes 09 Seconds East 14 feet  
thence North 04 Degrees 55 Minutes 45 Seconds East 5.8 feet  
thence North 03 Degrees 03 Minutes 13 Seconds West 8.2 feet  
thence North 05 Degrees 20 Minutes 24 Seconds East 12.4 feet  
thence North 05 Degrees 36 Minutes 57 Seconds East 14 feet  
thence North 09 Degrees 43 Minutes 26 Seconds East 10 feet  
thence North 09 Degrees 13 Minutes 47 Seconds East 5 feet  
thence North 09 Degrees 53 Minutes 44 Seconds West 6.7 feet more or less to **the ending point**

**at:** 37 degrees 16 minutes 52.68 seconds North Latitude and -112 degrees 41 minutes 23.34 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,294,248.9 feet and Y = 10,068,501.2 feet.