

STATE OF UTAH  
OFFICE OF THE ATTORNEY GENERAL



BLM - UT - 950

2004 SEP 15 PM 3:41

MARK L. SHURTLEFF  
ATTORNEY GENERAL

RAYMOND A. HINTZE  
Chief Deputy

KIRK TORGENSEN  
Chief Deputy

September 15, 2004

Sally Wisely - State Director  
UNITED STATES DEPARTMENT OF THE INTERIOR  
Bureau of Land Management  
Utah State Office  
Post Office 45155  
Salt Lake City, Utah 84145-0155

*Re: Withdrawal of Application for recordable disclaimer of interest - Weiss Highway*

Dear Ms. Wisely:

At the request of Juab County and the State of Utah, and pursuant to paragraph 10 of the Memorandum of Understanding ("MOU") dated April 9, 2004 and signed by Governor Leavitt and Interior Secretary Norton, we hereby withdraw the application for recordable disclaimer of interest submitted to you on January 14, 2004, as amended January 20, 2004. Notwithstanding this withdrawal, the State and Juab County continue to assert that the Weiss Highway is a valid R.S. 2477 right-of-way. We specifically note that under the express provisions of paragraph 10 of the MOU, this action of withdrawal in no way prejudices the valid and existing rights of the State of Utah or Juab County regarding the Weiss Highway and that the State and Juab County are free to pursue whatever further action they deem appropriate with regard to securing those rights.

We respectfully request that your office address two new applications for recordable disclaimers of interest we have submitted today on Daggett County Roads D28 and D30.

Thank you for your consideration of this matter. Please feel free to contact us should you have questions or concerns.

Sincerely,

Roger E. Fairbanks  
Assistant Attorney General  
Utah Attorney General's Office

RRF/gjs

cc: Gayle F. McKeachie - Lieutenant Governor, State of Utah  
Juab County Commission