

**Amended Acknowledgment and
Amended 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 Amended Acknowledgment and Amended 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Duchesne County as it pertains to the highway located in Duchesne County known as Wells Draw Road; County Road Number: 32; State Geographic Information Database (SGID) Road Identification Number: RD070009. Total road length is 29.57 miles more or less.

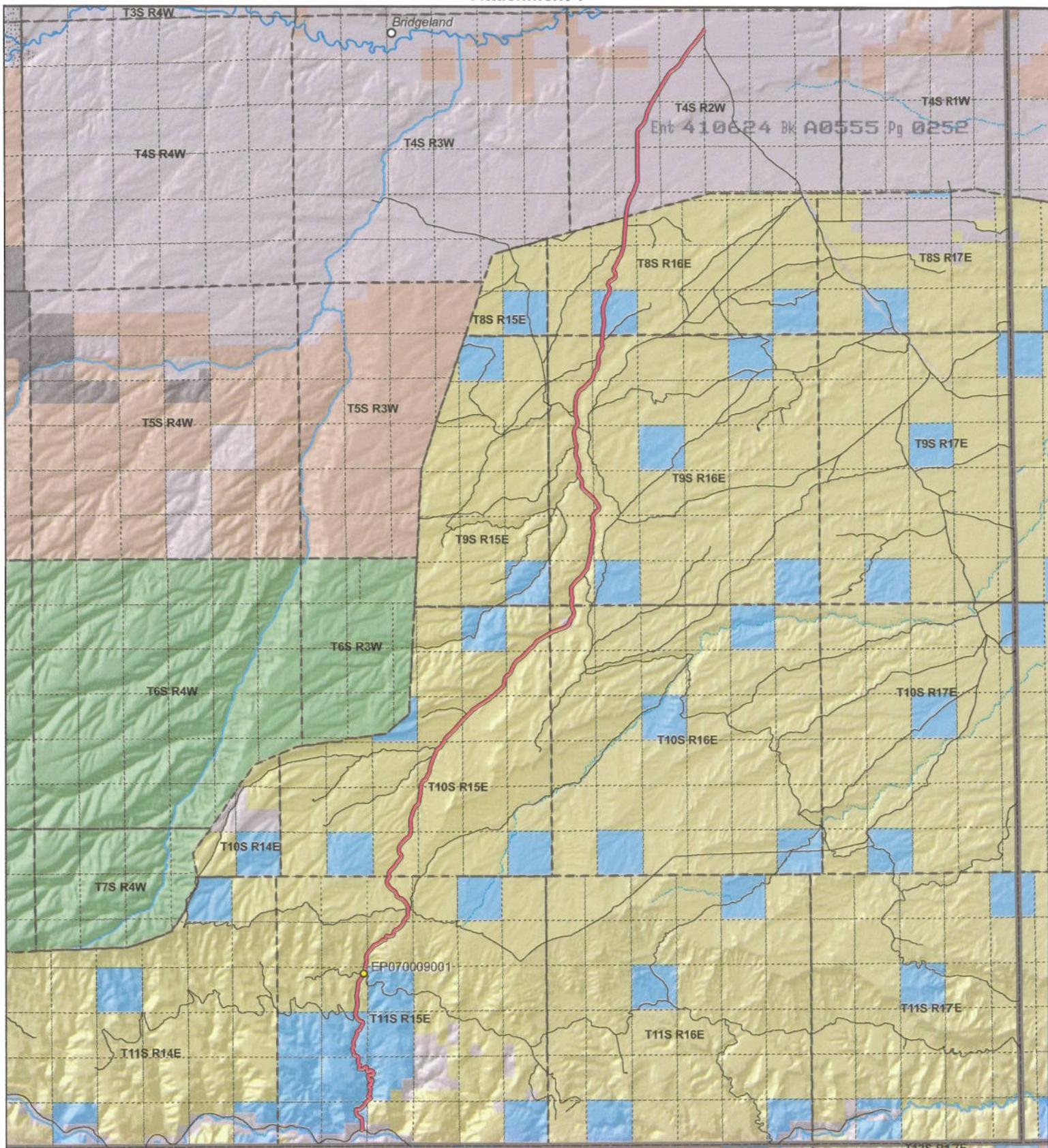
This Amended Acknowledgment and Amended Notice of Acknowledgment supersedes the information contained in the following documents:

1. Acknowledgment recorded at Ent 393654, Bk A500, Beg Pg 312.
2. Amended Acknowledgment recorded at Ent 401382, Bk A525 Pg 715.
3. Supplement to Amended Acknowledgment recorded at Ent 405983, Bk A541 Pg 239.
4. Affidavit of John Uresk recorded at Ent 405984, Bk A 541 Pg 245.

The reason for this Amended Acknowledgment and Amended 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 Amended Acknowledgment and Amended 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



Wells Draw Road - Duchesne County
SGID RD_ID RD070009

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

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



1:183,026

1 inch equals 2.9 miles



Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Nov 11, 2006

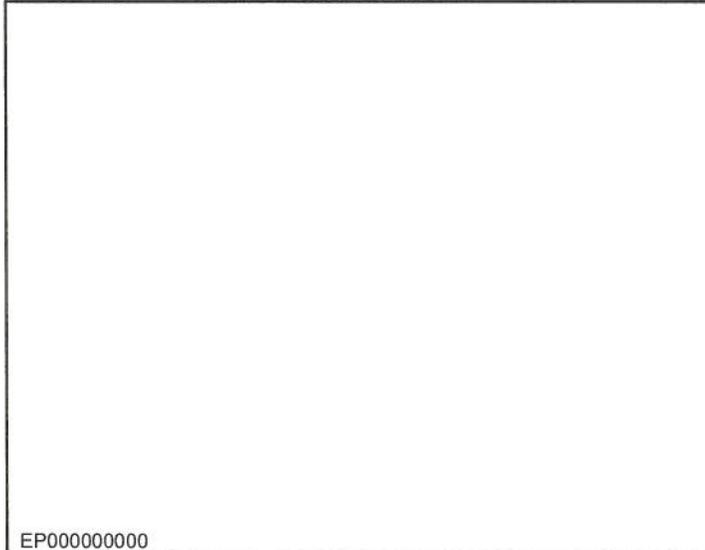




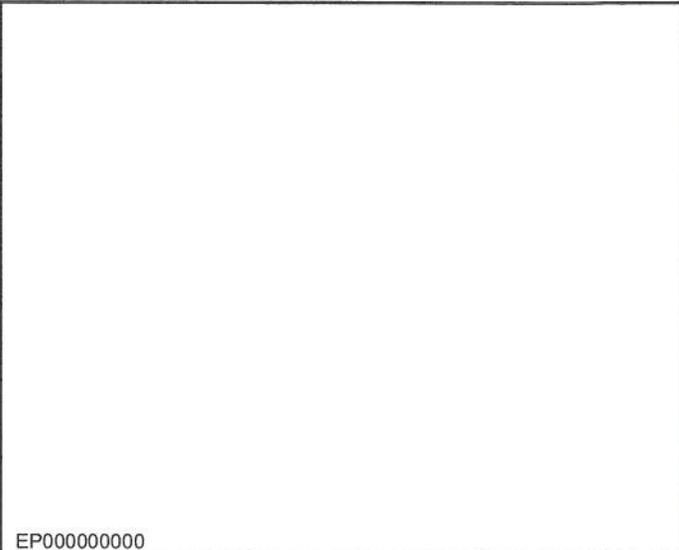
EP070009001

Ent: 410624 Bk: A0555 Pg: 0253

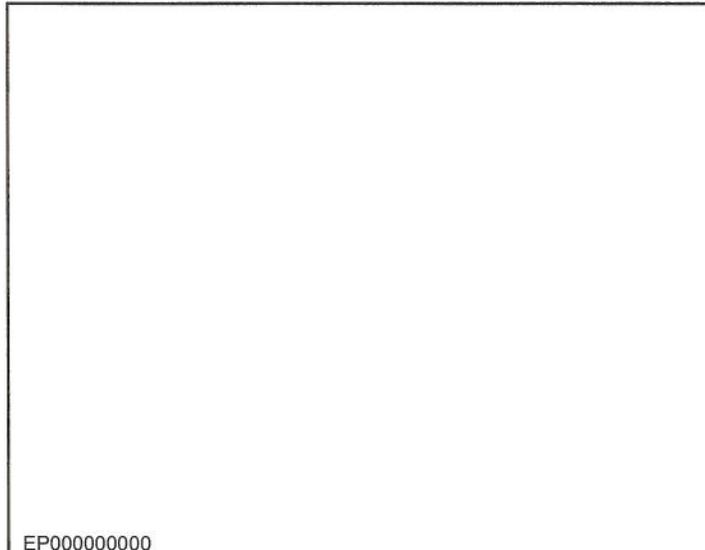
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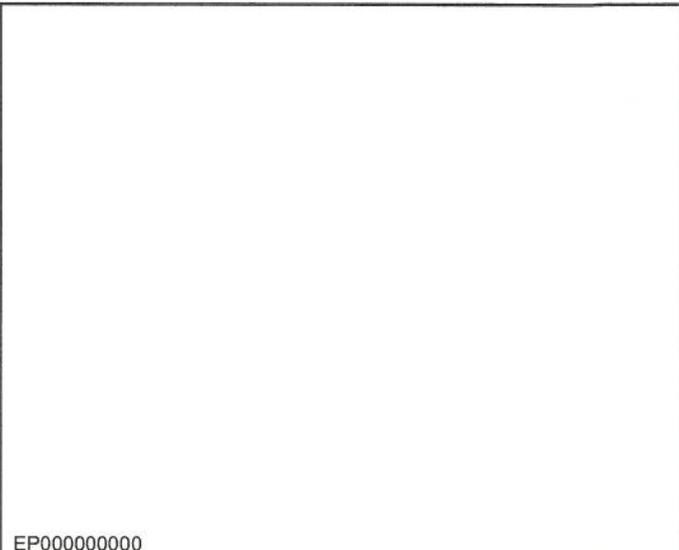
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Wells Draw Road - Duchesne County
SGID RD_ID RD070009

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
November 9, 2006



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

Popular Name: Wells Draw Road

County: Duchesne

County Road Number: 32

State Geographic Information Database (SGID) Road Identification Number: RD070009.

Total Road Length: 29.57 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 48 minutes 42.78 seconds North Latitude and -110 degrees 15 minutes 5.8 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,991,080.3 feet and Y = 7,102,650.5 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 09 minutes 055.5 seconds North Latitude and -110 degrees 06 minutes 16.94 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,030,332.6 feet and Y = 7,232,019.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 10 South Range 15 East, Section(s) 1,11,12,14,15,22,27,28,33, Salt Lake Base & Meridian

Township 10 South Range 16 East, Section(s) 6, Salt Lake Base & Meridian

Township 11 South Range 15 East, Section(s) 4,8,9,17,20,28,29,32,33, Salt Lake Base & Meridian

Township 4 South Range 2 West, Section(s) 3,4,8,9,17,20,29, Uintah Basin Base & Meridian

Township 8 South Range 16 East, Section(s) 20,29,32, Salt Lake Base & Meridian

Township 9 South Range 16 East, Section(s) 5,6,7,18,19,20,30,31, Salt Lake Base & Meridian

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

Road Centerline Description Cover Page(s)

Popular Name: Wells Draw Road

County: Duchesne

County Road Number: 32

State Geographic Information Database (SGID) Road Identification Number: RD070009.

Total Road Length: 29.57 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).

Road-Segments Listed by SGID Road Identification Number (RD ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD070009	001	PVT	0.14 Miles	(not shown)
RD070009	002	ST	3.75 Miles	(not shown)
RD070009	003	BLM	10.96 Miles	A
RD070009	004	PVT	0.34 Miles	(not shown)
RD070009	005	BLM	6.89 Miles	B
RD070009	006	ST	1.04 Miles	(not shown)
RD070009	007	BLM	1.77 Miles	C
RD070009	008	PVT	4.68 Miles	(not shown)
		Total Road Length	29.57	

* 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 Amended Acknowledgment and Amended Notice of Acknowledgment.

Attachment 5

Ent 410624 Bk A0555 Pg 0256

AFFIDAVIT OF LEON FILLINGIM 10624 Bk A0555 Pg 0257

**WELLS DRAW ROAD,
DUCHESNE COUNTY, UTAH**

COUNTY ROAD NUMBER 32

State of Utah)
 : ss.
County of Duchesne)

LEON FILLINGIM, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based on my personal knowledge.

2. I have traveled and am familiar with a road in Duchesne County known to me as the Wells Draw Road. I am also familiar with the land the road traverses. Attached is a Duchesne County map showing the Wells Draw 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. I am informed that Duchesne County also identifies this road according to the road number listed above.

3. I have observed the Wells Draw Road (County Road #32) in Duchesne County since 1944. The Wells Draw Road runs from US 40 to Nine Mile Canyon Road.

4. I am familiar with the indicated road because I have lived my whole life in Duchesne County. I was born May 21, 1938. I supervised maintenance of the roads as Superintendent of the Duchesne County Road Department from 1988 to 1996. I was also a Grader Operator from 1964 to 1988. During that time I used heavy machinery to construct and grade roads in the summer and to open snowbound roads in the winter.

5. It is the reputation in the community that this road was used by the general public since at least 1890, and has been continuously since that time.

6. 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 1920 and continuing through 1976 and beyond.

7. Since at least as early as 1920 and continuing to the present the road has been used for homesteading, ranching, traveling in and through the area, recreation, accessing state school and institutional trust lands, hunting and other sportsmen access, state and local government access, oil and mineral exploration and drilling and contractors.

8. Travelers on the road from at least as early as 1900 and continuing thereafter included those who went by foot, horseback, wagon, car, motorcycle, recreational vehicle, and truck.

9. As grader operator I first maintained this road with road graders at least as early as twice a year from 1988 to 1996.

10. When I first used and observed the road it ran the same route as it does now, and the road was well established as of 1944.

11. At no time during my tenure as Road Supervisor did the County undertake any procedure to abandon or vacate it's right-of-way on the road.

12. This road has been included in the state highway system or infrastructure and has been designated as a Class B highway over which the County has been given jurisdiction by the state legislature for construction, operations and maintenance. The road has been maintained since 1970 by the County as a public highway, freely open for all to come and go as they please.

13. The Wells Draw Road was the original entry road into the area at the turn of the century (1900) for the original settlers. Major road work was done by the US Army to make the road passable. The road has been on the official county road system since 1970. This road was

the State Highway until the Indian Canyon Highway was upgraded to State Highway Status.

Ent 410624 Bk A0555 Pg 0259

The county later took the road over for maintenance. After Duchesne County took over the road, the county did substantial grading, culvert installation, and maintenance. The Duchesne County also hauled substantial gravel and shale onto the road. This road was one of the major roads on my grader route from 1970 to 1988. This was a State Road prior to 1970.

Dated this 13th December of ~~November~~, 2006. *TMBP*

Leon Fillingim

LEON FILLINGIM

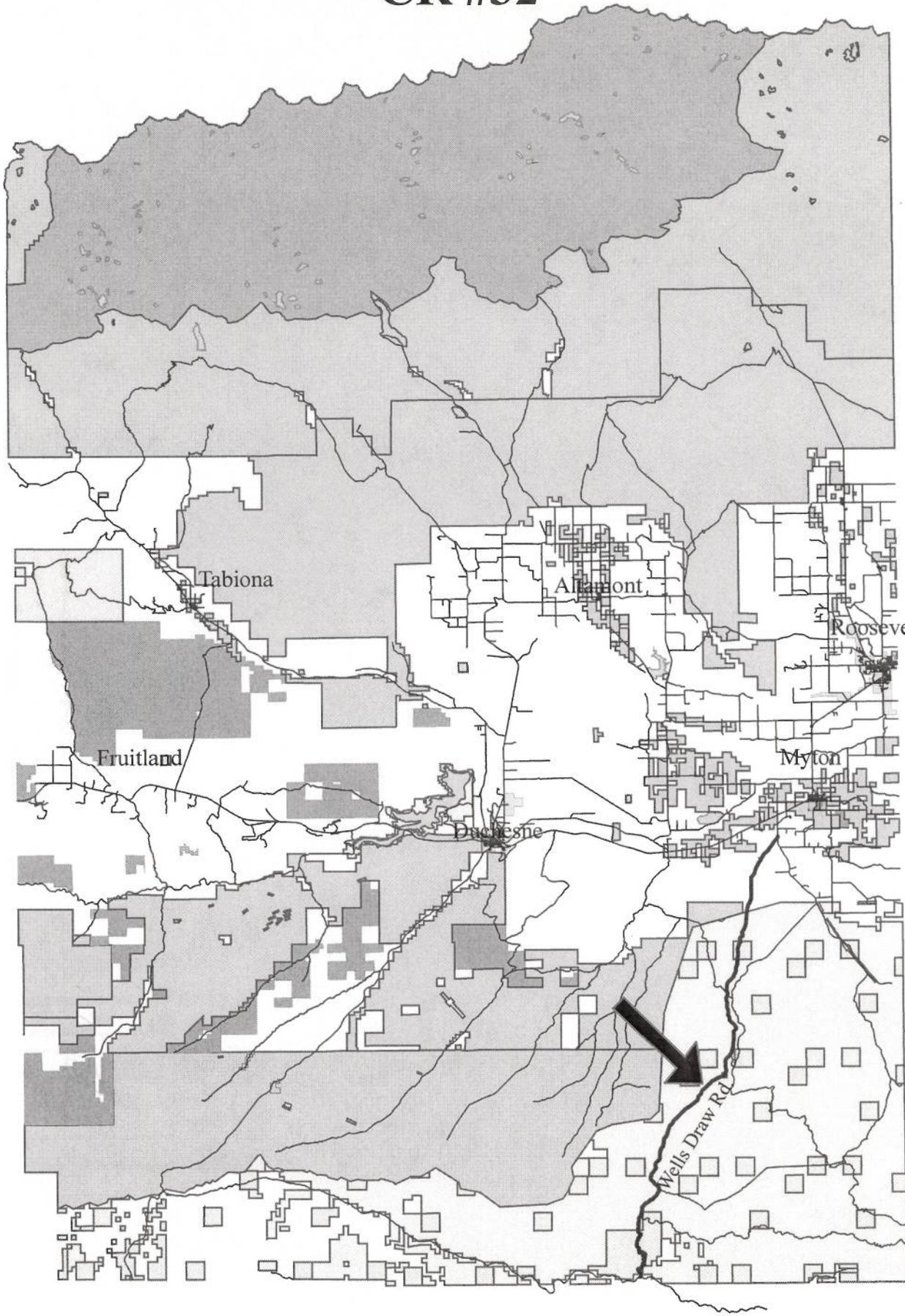
SUBSCRIBED AND SWORN TO before me this 13th December day of ~~November~~, 2006. *TMBP*



Maxine B Panas
Notary Public
Residing at: *Duchesne*

WELLS DRAW ROAD CR #32

10/5/03 Bk A0541 Pg 0244
11/06/24 Bk A0555 Pg 0266



AFFIDAVIT OF JOHN URESK

WELLS DRAW ROAD,

DUCHESNE COUNTY, UTAH

COUNTY ROAD NUMBER 32

State of Utah)
 : ss.
County of Duchesne)

JOHN URESK, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based on my personal knowledge.

2. I have traveled and am familiar with a road in Duchesne County known to me as the Wells Draw Road. I am also familiar with the land the road traverses. Attached is a Duchesne County map showing the Wells Draw 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. I am informed that Duchesne County also identifies this road according to the road number listed above.

3. I have observed the Wells Draw Road (County Road #32) in Duchesne County since 1926. The Wells Draw Road runs from US 40 to Nine Mile Canyon Road.

4. I am familiar with the indicated road for the same reasons identified in paragraph #3 as well as some private grading work I did on this road from 1947 to 1962.

5. It is the reputation in the community that this road was used by the general public since at least 1890, and has been continuously since that time. Ent 410624 Bk A0555 Pg 0262

6. 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 1920 and continuing through 1976 and beyond.

7. Since at least as early as 1920 and continuing to the present the road has been used for homesteading, ranching, traveling in and through the area, recreation, accessing state school and institutional trust lands, hunting and other sportsmen access, state and local government access, oil and mineral exploration and drilling and contractors.

8. Travelers on the road from at least as early as 1920 and continuing thereafter included those who went by foot, horseback, wagon, car, motorcycle, recreational vehicle, and truck.

9. As grader operator I first maintained this road with road graders at least as early as twice a year from 1962 to 1987.

10. When I first used and observed the road it ran the same route as it does now, and the road was well established as of 1920.

11. At no time during my tenure as Road Supervisor did the County undertake any procedure to abandon or vacate it's right-of-way on the road.

12. This road has been included in the state highway system or infrastructure and has been designated as a Class B highway over which the County has been given jurisdiction by the state legislature for construction, operations and maintenance. The road has been maintained since 1977 by the County as a public highway, freely open for all to come and go as they please.

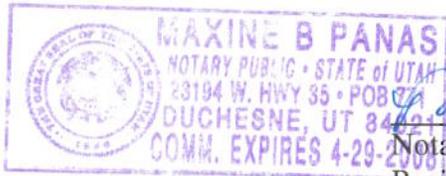
13. The Wells Draw Road was the original entry road into the area at the turn of the century (1900) for the original settlers. Major road work was done by the US Army to make the road passable. The road has been on the official county road system since 1977. This road was the State Highway until the Indian Canyon Highway was upgraded to State Highway Status. The county later took the road over for maintenance. After Duchesne County took over the road, the county did substantial grading, culvert installation, and maintenance. The Duchesne County also hauled substantial gravel and shale onto the road.

Dated this 10th day of ~~November~~ ^{December}, 2006. *MSD*

John Uresk

JOHN URESK

SUBSCRIBED AND SWORN TO before me this 13th day of ~~September~~ ^{December}, 2006. *MSD*



Maxine B. Panas

Notary Public
Residing at: Duchesne

WELLS DRAW ROAD CR #32

Ent 410624 Bk A0541 Pg 0248

Ent 410624 Bk A0555 Pg 0264

