

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

Ent 251511 Bk 431 Pg 374
Date: 21-MAY-2008 10:14AM
Fee: None
Filed By: LB
LES BARKER, Recorder
GARFIELD COUNTY CORPORATION
For: GOVERNOR/STATE 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Garfield County as it pertains to the highway located in Garfield County known as JOHN'S VALLEY ROAD; County Road Number: 0363; State Geographic Information Database (SGID) Road Identification Number: RD090066. Total road length is 25.18 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 6th day of May, 2008.

By the Governor's Designee

John Harja
John Harja

CERTIFICATION

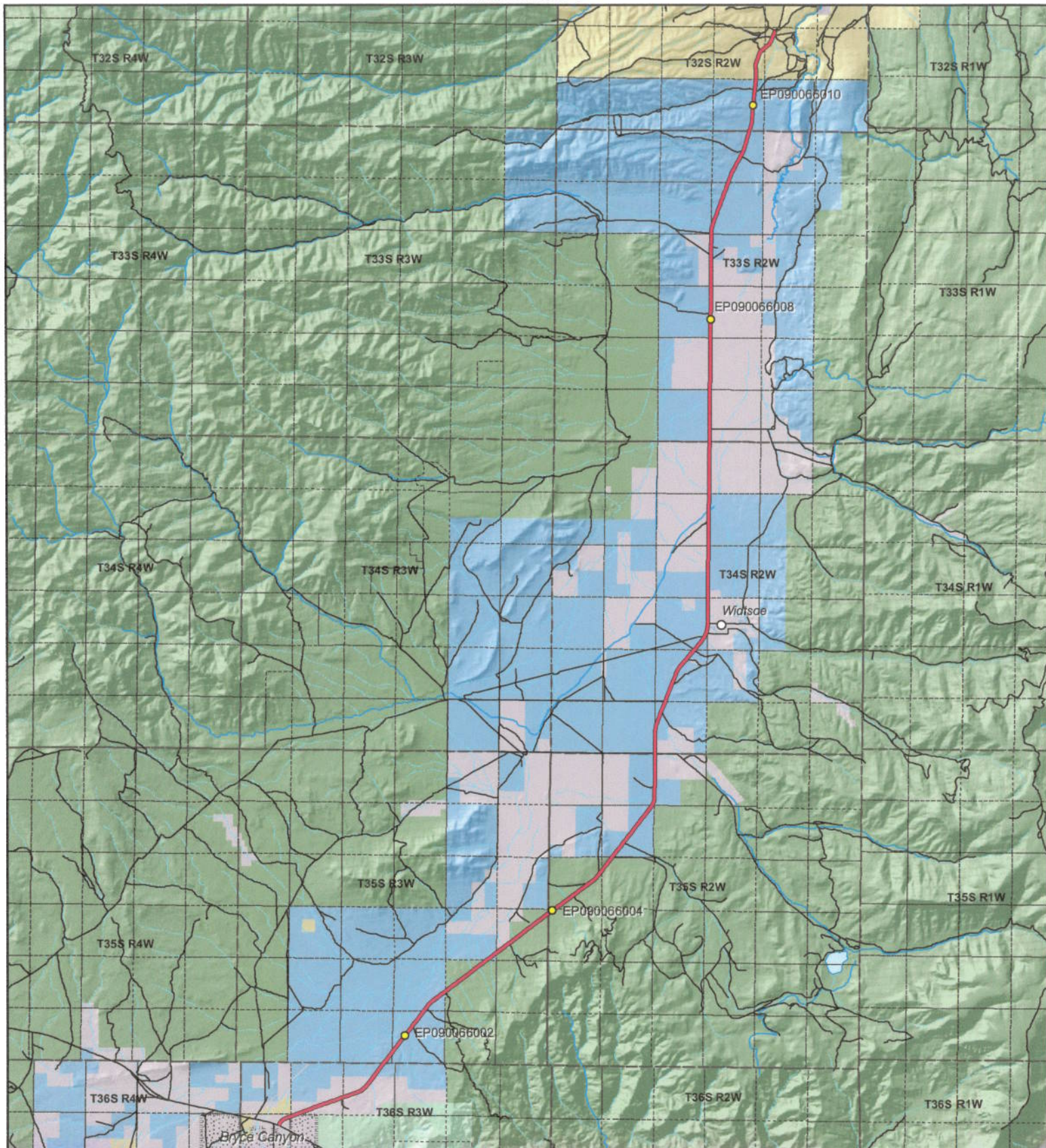
State of Utah)
 : ss
County of Salt Lake)

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 6th day of May, 2008.



Pamela Z. Blackham
Notary Public



<p>1:158,755 1 inch equals 2.5 miles</p>		<p style="text-align: center;">JOHN'S VALLEY ROAD - Garfield County SGID RD_ID RD090066</p> <table border="0"> <tr> <td colspan="2">Land Ownership Categories</td> <td colspan="2">Transportation Network</td> </tr> <tr> <td> BLM</td> <td> Wilderness</td> <td> JOHN'S VALLEY ROAD</td> <td> Title V: Issued Or Under Consideration By BLM Or County</td> </tr> <tr> <td> Private</td> <td> UDWR Wildlife Reserve</td> <td> Other Roads</td> <td> Photo Event Point</td> </tr> <tr> <td> SITLA, State Trust Land</td> <td> DOD, Military</td> <td> Section = 1 Mile</td> <td></td> </tr> <tr> <td> USFS, National Forest</td> <td> State Sovereign Land</td> <td></td> <td></td> </tr> <tr> <td> State Parks and Recreation</td> <td> National Recreation Area</td> <td></td> <td></td> </tr> <tr> <td> Tribal, Indian Reservation</td> <td> USFWS, Natl. Wildlife Refuge</td> <td></td> <td></td> </tr> <tr> <td> NPS, National Park</td> <td></td> <td></td> <td></td> </tr> </table>	Land Ownership Categories		Transportation Network		BLM	Wilderness	JOHN'S VALLEY ROAD	Title V: Issued Or Under Consideration By BLM Or County	Private	UDWR Wildlife Reserve	Other Roads	Photo Event Point	SITLA, State Trust Land	DOD, Military	Section = 1 Mile		USFS, National Forest	State Sovereign Land			State Parks and Recreation	National Recreation Area			Tribal, Indian Reservation	USFWS, Natl. Wildlife Refuge			NPS, National Park				<p>Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 Apr 22, 2008</p>
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EP090066002



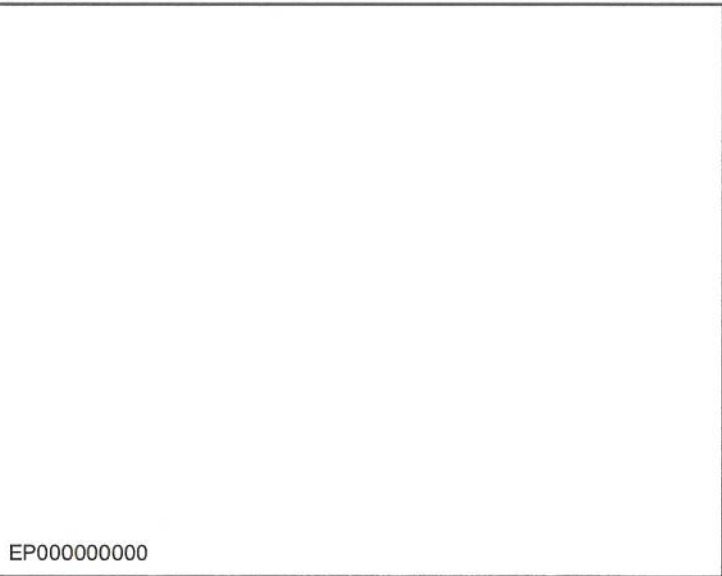
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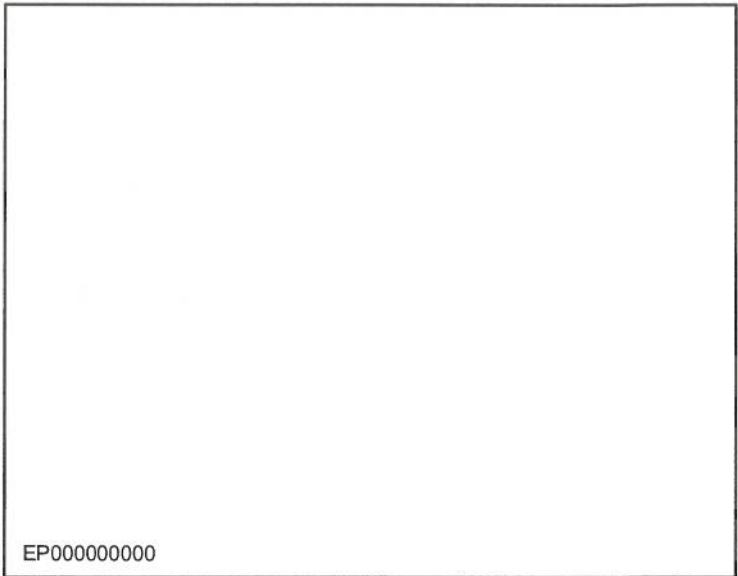
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EP090066008



EP000000000



EP000000000

JOHN'S VALLEY ROAD - Garfield County
SGID RD_ID RD090066

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
April 22, 2008



Attachment 3

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

Popular Name: JOHN'S VALLEY ROAD

County: Garfield

County Road Number: 0363

State Geographic Information Database (SGID) Road Identification Number: RD090066.

Total Road Length: 25.18 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 41 minutes 32.74 seconds North Latitude and -112 degrees 09 minutes 07.77 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,451,716.9 feet and Y = 10,216,655.3 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 59 minutes 59.41 seconds North Latitude and -111 degrees 58 minutes 51.62 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,501,814.0 feet and Y = 10,328,292.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 32 South Range 2 West, Section(s) 26,27,34, Salt Lake Base & Meridian

Township 33 South Range 2 West, Section(s) 3,10,15,22,27,34, Salt Lake Base & Meridian

Township 34 South Range 2 West, Section(s) 3,10,15,21,22,28,33, Salt Lake Base & Meridian

Township 35 South Range 2 West, Section(s) 4,5,8,17,18,19, Salt Lake Base & Meridian

Township 35 South Range 3 West, Section(s) 23,24,26,27,33,34, Salt Lake Base & Meridian

Township 36 South Range 3 West, Section(s) 4,5,7,8, 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: JOHN'S VALLEY ROAD

County: Garfield

County Road Number: 0363

State Geographic Information Database (SGID) Road Identification Number: RD090066.

Total Road Length: 25.18 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
RD090066	001	PVT	2.12 Miles	(not shown)
RD090066	002	ST	2.14 Miles	(not shown)
RD090066	003	FS	1 Miles	†(pending)
RD090066	004	ST	0.24 Miles	(not shown)
RD090066	005	FS	0.17 Miles	†(pending)
RD090066	006	PVT	0.15 Miles	(not shown)
RD090066	007	FS	2.6 Miles	†(pending)
RD090066	008	ST	1.76 Miles	(not shown)
RD090066	009	PVT	0.75 Miles	(not shown)
RD090066	010	ST	2.44 Miles	(not shown)
RD090066	011	PVT	0.04 Miles	(not shown)
RD090066	012	ST	0.04 Miles	(not shown)
RD090066	013	PVT	0.65 Miles	(not shown)
RD090066	014	ST	1.86 Miles	(not shown)
RD090066	015	PVT	1 Miles	(not shown)
RD090066	016	ST	1 Miles	(not shown)
RD090066	017	PVT	1 Miles	(not shown)
RD090066	018	ST	1 Miles	(not shown)
RD090066	019	PVT	1 Miles	(not shown)
RD090066	020	ST	3.14 Miles	(not shown)
RD090066	021	BLM	1.06 Miles	A
		Total Road Length	25.18	_____

* 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 PHIL ALLEN
JOHN'S VALLEY ROAD
GARFIELD COUNTY, UTAH
ROAD NUMBER 0363

State of Utah)
 : ss.
County of Garfield)

PHIL ALLEN, 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 Antimony, Garfield County, Utah. I have lived in Garfield County for 84 years.

2. I have traveled and am familiar with a road in Garfield County known as John's Valley Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1930s it followed the same route as in 2008 when I last observed it. Attached is a Garfield County map showing John's Valley 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 1930s and continuing through 1976 to 2008. Throughout this time period I have observed travel on the road by means of cars, trucks and pickup trucks and ATVs. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and was so used in 2008.

5. Throughout the time period from the late 1940s to 2007, I have used the road myself for hunting, livestock operations, access to private property and travel 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 recreation, oil and gas exploration 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 late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

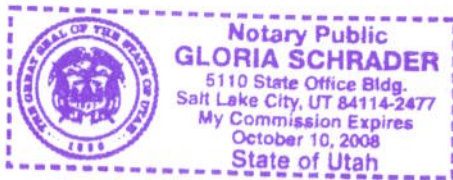
8. Prior to 1976, I observed graders and county road maintenance equipment performing maintenance and construction activities on the road. The road is now completely paved.

DATED this 21 day of May, 2008.



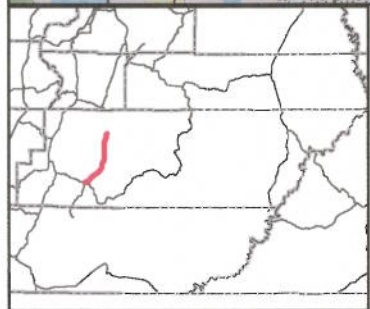
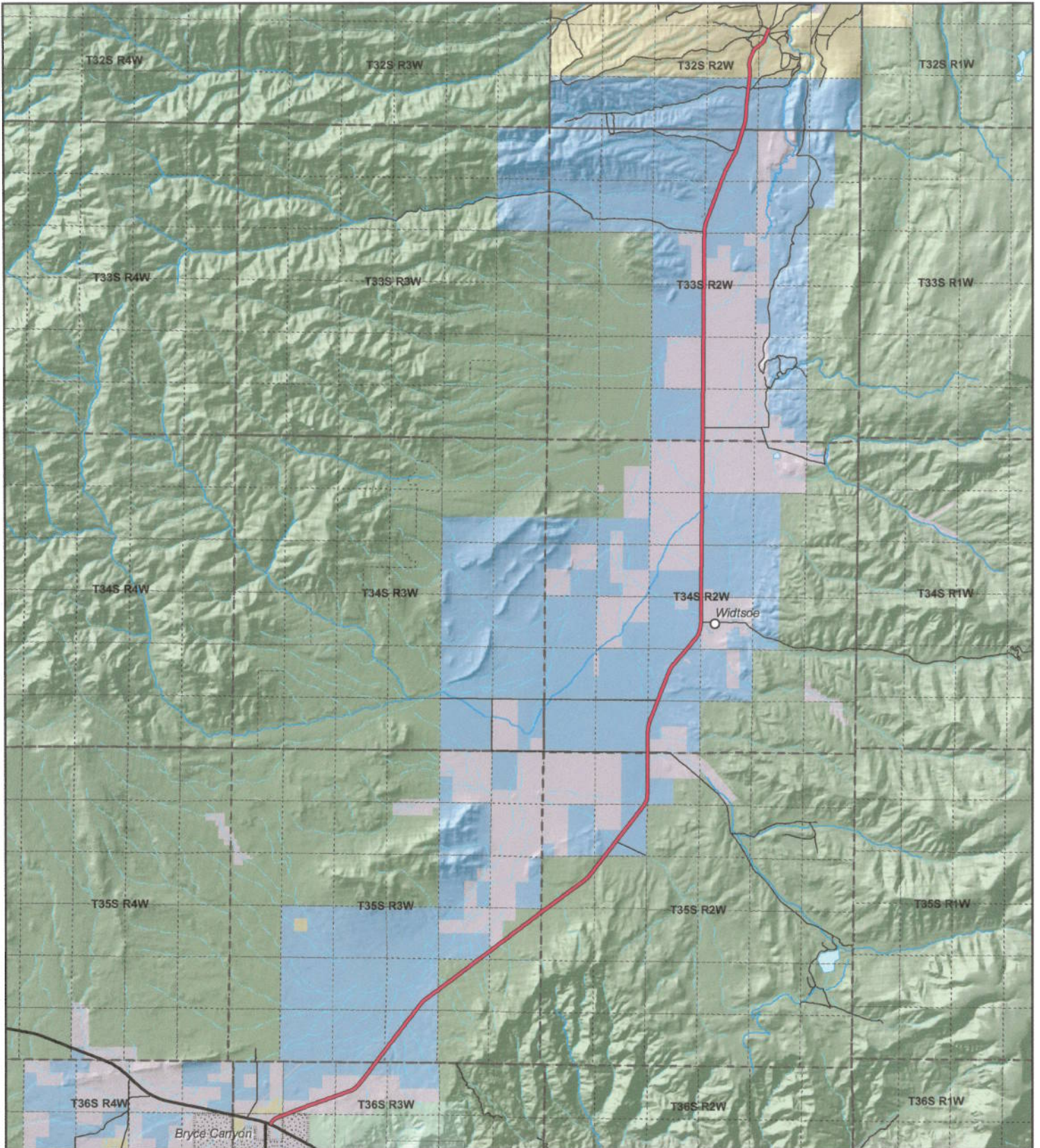
PHIL ALLEN

SUBSCRIBED AND SWORN to before me this 21st day of July, 2008.





NOTARY PUBLIC



Garfield County
JOHN'S VALLEY ROAD
 County Unique - 0363

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

- JOHN'S VALLEY ROAD
- State / U.S. Highway
- Local Roads

Misc

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



1:156,500
 1 inch equals 2.5 miles



Map prepared by the State of Utah
 AGRC
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Apr 23, 2008



AFFIDAVIT OF SHANNON D. ALLEN

JOHN'S VALLEY ROAD

COUNTY ROAD NUMBER 0363

GARFIELD COUNTY, UTAH

State of Utah)
 : ss.
County of Garfield)

SHANNON D. ALLEN, 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 have lived in Garfield County for 52 years.

2. I have traveled and am familiar with a road in Garfield County known as John's Valley Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1962, it followed the same route as in 2008 when I last observed it. Attached is a Garfield County map showing John's Valley 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 1962 and continuing through 1976 to 2008. Throughout this time period I have observed travel on the road by various means, including cars, trucks, maintenance vehicles and jeeps. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and was so used in 2008.

4. Throughout the time period from 1962 to 2008, I have used the road for livestock operations, camping, wood gathering, recreation and hunting.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus farming, oil and gas exploration, prospecting for minerals, logging, tourism, rock hounding and government access.

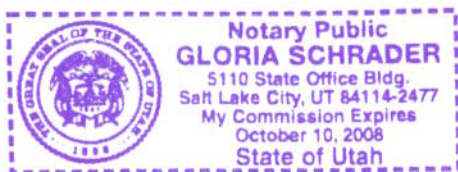
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

7. Prior to 1976, I observed graders performing maintenance and construction activities on the road. The road is currently paved.

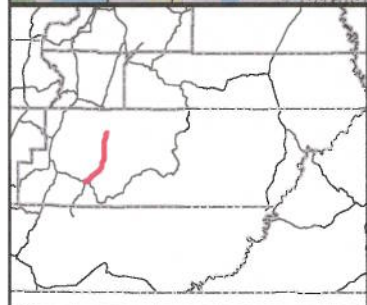
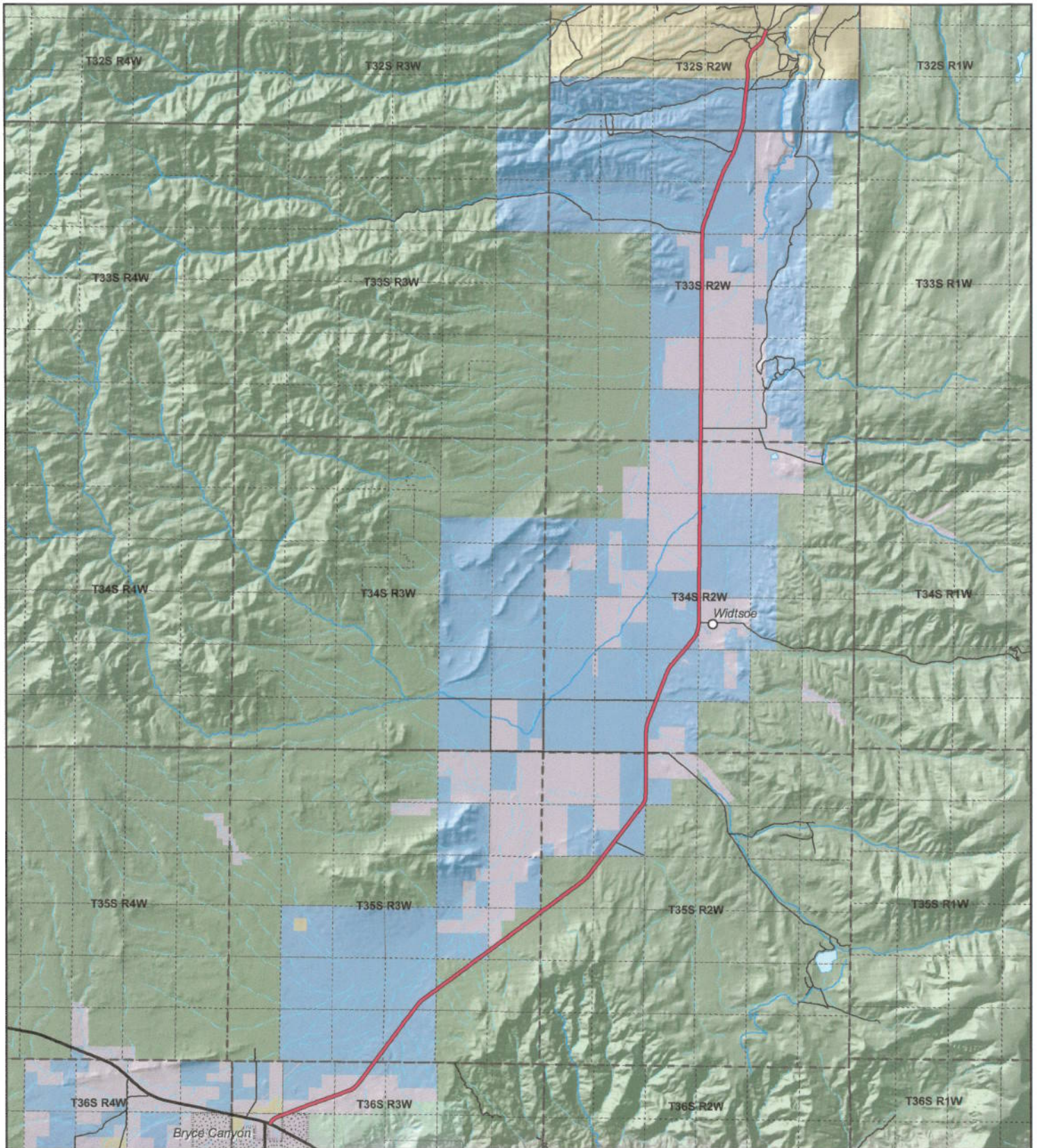
Dated this 21 day of May, 2008.


SHANNON D. ALLEN

SUBSCRIBED AND SWORN to before me this 21st day of May, 2008.




NOTARY PUBLIC



Garfield County
JOHN'S VALLEY ROAD
 County Unique - 0363

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

- JOHN'S VALLEY ROAD
- State / U.S. Highway
- Local Roads

Misc

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



1:156,500
 1 inch equals 2.5 miles



Map prepared by the State of Utah
 AGRC
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Apr 23, 2008



Appendix A to Attachment 4

Popular Name: JOHN'S VALLEY ROAD

County: Garfield

County Road Number: 0363

State Geographic Information Database (SGID) Road Identification Number: RD090066.

Road-Segment Number: 021

Road-Segment Length: 1.06 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 32 South Range 2 West, Section(s) 26,27, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (JOHN'S VALLEY ROAD)-- Segment 021 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 59 minutes 10.16 seconds North Latitude and -111 degrees 59 minutes 15.66 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,499,864.5 feet and Y = 10,323,320.2 feet; thence the following courses along the said road center line:

thence North 06 Degrees 03 Minutes 40 Seconds East 10.4 feet
thence North 06 Degrees 03 Minutes 40 Seconds East 73.5 feet
thence North 05 Degrees 48 Minutes 03 Seconds East 126.4 feet
thence North 04 Degrees 43 Minutes 06 Seconds East 112.3 feet
thence North 02 Degrees 18 Minutes 37 Seconds East 100.5 feet
thence North 00 Degrees 30 Minutes 07 Seconds West 97.5 feet
thence North 02 Degrees 10 Minutes 29 Seconds West 100.8 feet
thence North 04 Degrees 05 Minutes 57 Seconds West 104.3 feet
thence North 06 Degrees 08 Minutes 47 Seconds West 103.3 feet
thence North 08 Degrees 43 Minutes 22 Seconds West 103.2 feet
thence North 10 Degrees 35 Minutes 52 Seconds West 104.7 feet

thence North 09 Degrees 51 Minutes 35 Seconds West 104.8 feet
 thence North 06 Degrees 59 Minutes 54 Seconds West 107.1 feet
 thence North 02 Degrees 03 Minutes 19 Seconds West 107.7 feet
 thence North 04 Degrees 15 Minutes 02 Seconds East 107.3 feet
 thence North 10 Degrees 02 Minutes 38 Seconds East 104.1 feet
 thence North 14 Degrees 52 Minutes 00 Seconds East 104 feet
 thence North 18 Degrees 55 Minutes 04 Seconds East 112.6 feet
 thence North 19 Degrees 20 Minutes 03 Seconds East 123 feet
 thence North 19 Degrees 04 Minutes 04 Seconds East 132.5 feet
 thence North 19 Degrees 21 Minutes 13 Seconds East 140.4 feet
 thence North 19 Degrees 13 Minutes 09 Seconds East 141.4 feet
 thence North 19 Degrees 16 Minutes 11 Seconds East 135.1 feet
 thence North 18 Degrees 58 Minutes 25 Seconds East 126.2 feet
 thence North 20 Degrees 35 Minutes 49 Seconds East 113.1 feet
 thence North 22 Degrees 57 Minutes 42 Seconds East 102.2 feet
 thence North 29 Degrees 18 Minutes 52 Seconds East 96.3 feet
 thence North 36 Degrees 33 Minutes 38 Seconds East 52.5 feet
 thence North 36 Degrees 43 Minutes 59 Seconds East 43.6 feet
 thence North 43 Degrees 59 Minutes 25 Seconds East 94.9 feet
 thence North 49 Degrees 35 Minutes 53 Seconds East 92.2 feet
 thence North 52 Degrees 02 Minutes 51 Seconds East 92.4 feet
 thence North 51 Degrees 40 Minutes 38 Seconds East 95.4 feet
 thence North 51 Degrees 43 Minutes 08 Seconds East 102.4 feet
 thence North 51 Degrees 27 Minutes 54 Seconds East 71.4 feet
 thence North 51 Degrees 27 Minutes 54 Seconds East 36.8 feet
 thence North 51 Degrees 47 Minutes 11 Seconds East 112.7 feet
 thence North 51 Degrees 36 Minutes 57 Seconds East 115.5 feet
 thence North 50 Degrees 03 Minutes 27 Seconds East 111.6 feet
 thence North 45 Degrees 38 Minutes 35 Seconds East 97.7 feet
 thence North 40 Degrees 57 Minutes 22 Seconds East 89.1 feet
 thence North 37 Degrees 02 Minutes 40 Seconds East 85.5 feet
 thence North 33 Degrees 19 Minutes 09 Seconds East 84.7 feet
 thence North 29 Degrees 27 Minutes 48 Seconds East 83.9 feet
 thence North 25 Degrees 03 Minutes 29 Seconds East 84.3 feet
 thence North 22 Degrees 27 Minutes 14 Seconds East 90.8 feet
 thence North 22 Degrees 35 Minutes 47 Seconds East 101.2 feet
 thence North 22 Degrees 05 Minutes 21 Seconds East 111.1 feet
 thence North 22 Degrees 01 Minutes 38 Seconds East 117.4 feet
 thence North 22 Degrees 47 Minutes 15 Seconds East 121.3 feet
 thence North 22 Degrees 53 Minutes 21 Seconds East 117.5 feet
 thence North 19 Degrees 40 Minutes 25 Seconds East 3.8 feet
 thence North 22 Degrees 14 Minutes 11 Seconds East 117.3 feet
 thence North 22 Degrees 00 Minutes 48 Seconds East 107.1 feet
 thence North 22 Degrees 20 Minutes 28 Seconds East 94.6 feet
 thence North 25 Degrees 06 Minutes 50 Seconds East 162.1 feet

thence North 25 Degrees 56 Minutes 57 Seconds East 27.4 feet more or less to **the ending point at:** 37 degrees 59 minutes 59.41 seconds North Latitude and -111 degrees 58 minutes 51.62 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,501,814.0 feet and Y = 10,328,292.1 feet.