

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

Ent 251406 Bk 430 Pg 382
Date: 12-MAY-2008 9:22AM
Fee: None
Filed By: CT
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 VAY BARNEY LOOP ROAD; County Road Number: 0585; State Geographic Information Database (SGID) Road Identification Number: RD090086. Total road length is 1.04 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 24th day of APRIL, 2008.

By the Governor's Designee



John Harja

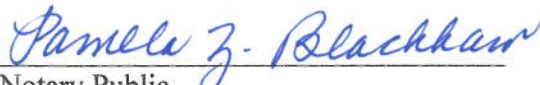
CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

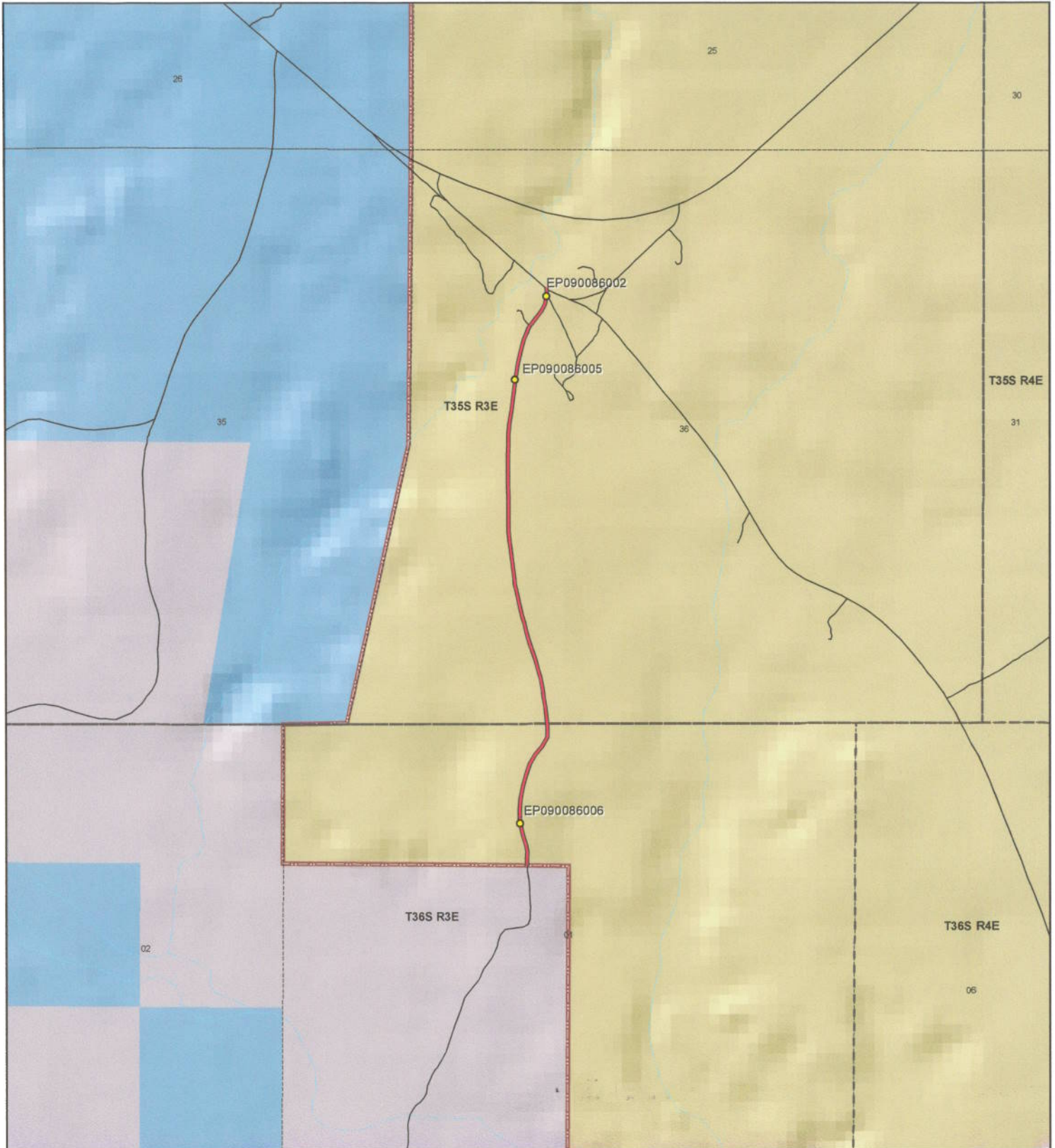
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.





Dated this 24th day of April, 2008.





Notary Public



 <p>1:14,395 1 inch equals 0.2 miles</p>		<p style="text-align: center;">VAY BARNEY LOOP ROAD - Garfield County SGID RD_ID RD090086</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> VAY BARNEY LOOP 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	VAY BARNEY LOOP 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 Feb 28, 2008</p>  
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Attachment 2



EP090086002



EP090086005



EP090086006

EP000000000

EP000000000

EP000000000

VAY BARNEY LOOP ROAD - Garfield County
SGID RD_ID RD090086

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
March 19, 2008



Attachment 3

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

Popular Name: VAY BARNEY LOOP ROAD

County: Garfield

County Road Number: 0585

State Geographic Information Database (SGID) Road Identification Number: RD090086.

Total Road Length: 1.04 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 42 minutes 36.76 seconds North Latitude and -111 degrees 31 minutes 42.64 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,632,168.7 feet and Y = 10,222,473.9 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 43 minutes 29.42 seconds North Latitude and -111 degrees 31 minutes 40.73 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,632,324.4 feet and Y = 10,227,800.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 35 South Range 3 East, Section(s) 36, Salt Lake Base & Meridian

Township 36 South Range 3 East, Section(s) 1, 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: VAY BARNEY LOOP ROAD

County: Garfield

County Road Number: 0585

State Geographic Information Database (SGID) Road Identification Number: RD090086.

Total Road Length: 1.04 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
RD090086	001	BLM	1.04 Miles	A
		Total Road Length	1.04	_____

* 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 SAM SPENCER
VAY BARNEY LOOP ROAD
COUNTY ROAD NUMBER 0585
GARFIELD COUNTY, UTAH

State of Utah)
 : ss.
County of Garfield)

SAM SPENCER, 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 50 years. I have been employed by the Garfield County Road Department for 15 years.

2. I have traveled and am familiar with a road in Garfield County known as Vay Barney Loop Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in 2007 when I last observed it. Attached is a Garfield County map showing Vay Barney Loop 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 1960s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including cars, trucks, ATVs, maintenance vehicles and jeeps. Throughout this time period, the road has been used weekly, weather permitting, for

more than ten continuous years prior to 1976, and was used weekly, weather permitting, in 2007.

4. Throughout the time period from the early 1960s to 2007, I have used the road for livestock operations, hunting, picnicking, hiking and sight seeing.

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 private property access, oil and gas exploration 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 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

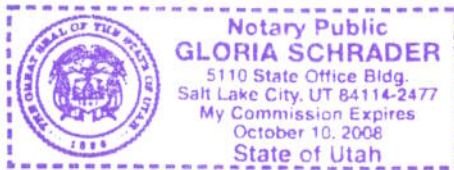
7. Prior to 1976, I observed the graded surface of the road.

Dated this 11 day of July, 2007.



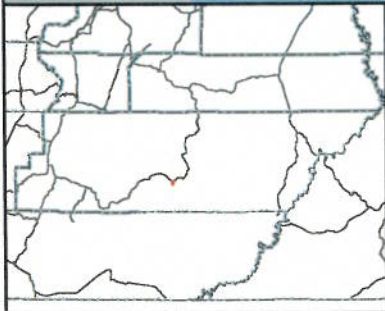
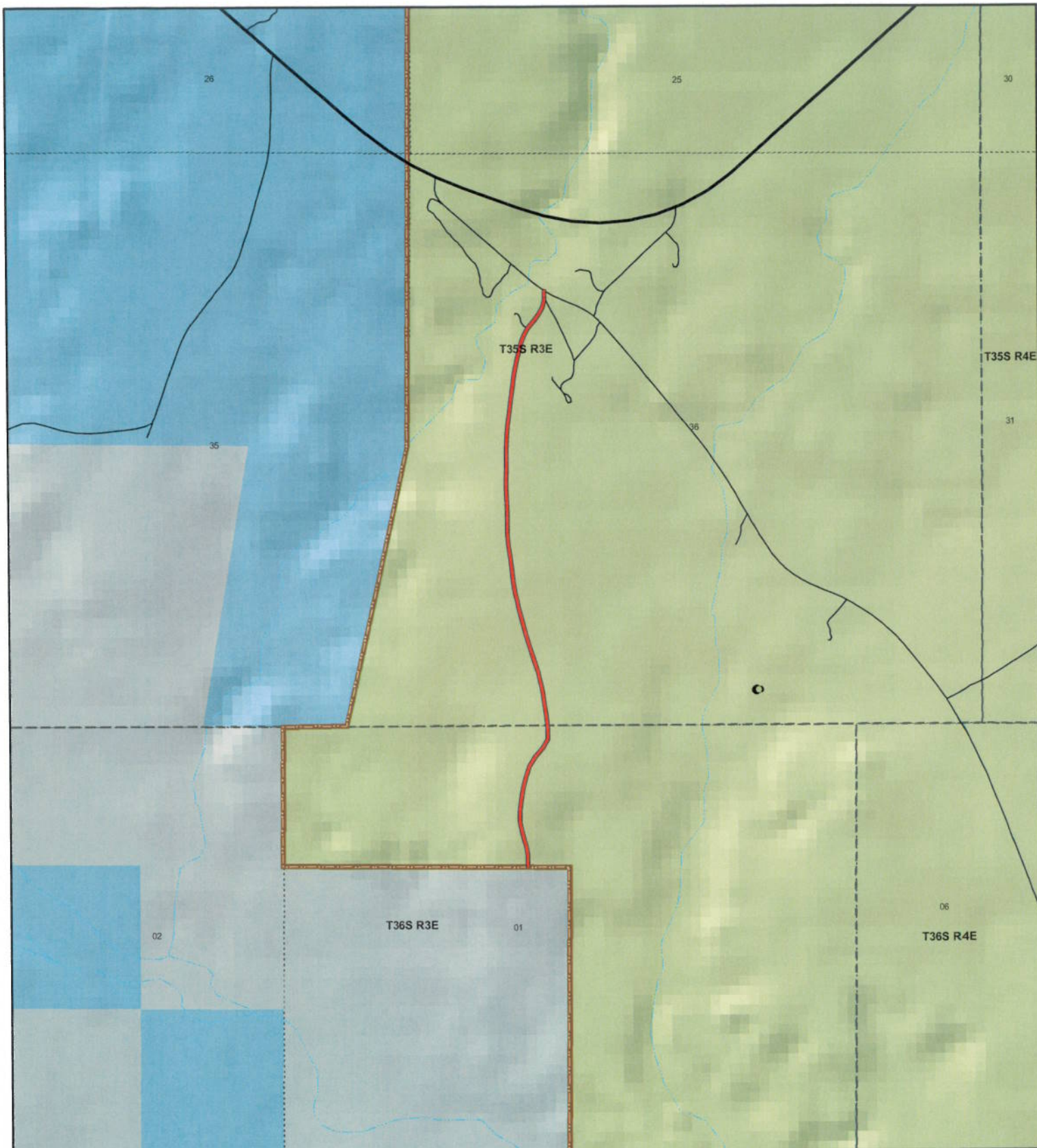
SAM SPENCER

SUBSCRIBED AND SWORN to before me this 11th day of July, 2007.





NOTARY PUBLIC



VAY BARNEY LOOP RD
County Unique - 0585

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

- VAY BARNEY LOOP RD
- State / U.S. Highway
- Local Roads

Misc

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



1:14,204
 1 inch equals 0.2 miles



Map prepared by the State of Utah
 AGRC
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Jul 05, 2007



Appendix A to Attachment 4

Popular Name: VAY BARNEY LOOP ROAD

County: Garfield

County Road Number: 0585

State Geographic Information Database (SGID) Road Identification Number: RD090086.

Road-Segment Number: 001

Road-Segment Length: 1.04 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 35 South Range 3 East, Section(s) 36, Salt Lake Base & Meridian

Township 36 South Range 3 East, Section(s) 1, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (VAY BARNEY LOOP 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 37 degrees 42 minutes 36.76 seconds North Latitude and -111 degrees 31 minutes 42.64 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,632,168.7 feet and Y = 10,222,473.9 feet; thence the following courses along the said road center line:

thence North 08 Degrees 55 Minutes 17 Seconds West 21.9 feet
thence North 00 Degrees 37 Minutes 05 Seconds East 40.7 feet
thence North 01 Degrees 02 Minutes 31 Seconds East 55.8 feet
thence North 09 Degrees 58 Minutes 34 Seconds West 74.2 feet
thence North 18 Degrees 09 Minutes 22 Seconds West 61 feet
thence North 16 Degrees 44 Minutes 30 Seconds West 68.4 feet
thence North 11 Degrees 36 Minutes 56 Seconds West 98.7 feet
thence North 00 Degrees 18 Minutes 20 Seconds West 101.1 feet
thence North 05 Degrees 16 Minutes 13 Seconds East 111.5 feet
thence North 10 Degrees 41 Minutes 16 Seconds East 105 feet

thence North 14 Degrees 22 Minutes 58 Seconds East 104.8 feet
 thence North 17 Degrees 17 Minutes 26 Seconds East 106.4 feet
 thence North 30 Degrees 37 Minutes 40 Seconds East 107.9 feet
 thence North 41 Degrees 04 Minutes 09 Seconds East 102.8 feet
 thence North 29 Degrees 39 Minutes 22 Seconds East 96.6 feet
 thence North 00 Degrees 43 Minutes 26 Seconds West 89.9 feet
 thence North 06 Degrees 00 Minutes 59 Seconds West 32.1 feet
 thence North 06 Degrees 00 Minutes 59 Seconds West 57 feet
 thence North 08 Degrees 27 Minutes 55 Seconds West 90.2 feet
 thence North 08 Degrees 46 Minutes 53 Seconds West 84.6 feet
 thence North 07 Degrees 31 Minutes 48 Seconds West 70.5 feet
 thence North 10 Degrees 40 Minutes 05 Seconds West 58.4 feet
 thence North 13 Degrees 16 Minutes 52 Seconds West 73.1 feet
 thence North 14 Degrees 37 Minutes 42 Seconds West 63.7 feet
 thence North 18 Degrees 07 Minutes 29 Seconds West 38.6 feet
 thence North 17 Degrees 00 Minutes 18 Seconds West 68.5 feet
 thence North 19 Degrees 32 Minutes 45 Seconds West 88.6 feet
 thence North 17 Degrees 06 Minutes 29 Seconds West 87.4 feet
 thence North 17 Degrees 38 Minutes 49 Seconds West 87 feet
 thence North 14 Degrees 58 Minutes 56 Seconds West 85.5 feet
 thence North 14 Degrees 17 Minutes 19 Seconds West 85.6 feet
 thence North 14 Degrees 07 Minutes 01 Seconds West 81.1 feet
 thence North 13 Degrees 19 Minutes 12 Seconds West 71.4 feet
 thence North 13 Degrees 39 Minutes 33 Seconds West 66.8 feet
 thence North 11 Degrees 56 Minutes 57 Seconds West 55.3 feet
 thence North 08 Degrees 29 Minutes 02 Seconds West 55.4 feet
 thence North 07 Degrees 04 Minutes 59 Seconds West 114 feet
 thence North 06 Degrees 42 Minutes 00 Seconds West 114.9 feet
 thence North 08 Degrees 47 Minutes 41 Seconds West 111.2 feet
 thence North 04 Degrees 58 Minutes 59 Seconds West 108.7 feet
 thence North 00 Degrees 13 Minutes 40 Seconds East 105.7 feet
 thence North 01 Degrees 00 Minutes 16 Seconds West 107.7 feet
 thence North 01 Degrees 24 Minutes 52 Seconds West 101.8 feet
 thence North 02 Degrees 43 Minutes 00 Seconds West 93.6 feet
 thence North 00 Degrees 30 Minutes 00 Seconds West 96.8 feet
 thence North 01 Degrees 15 Minutes 48 Seconds East 95.9 feet
 thence North 00 Degrees 04 Minutes 57 Seconds East 96.8 feet
 thence North 00 Degrees 51 Minutes 33 Seconds East 96.8 feet
 thence North 00 Degrees 27 Minutes 47 Seconds East 97.8 feet
 thence North 05 Degrees 11 Minutes 35 Seconds East 106.2 feet
 thence North 07 Degrees 39 Minutes 49 Seconds East 116 feet
 thence North 06 Degrees 51 Minutes 33 Seconds East 115.8 feet
 thence North 07 Degrees 13 Minutes 26 Seconds East 115.2 feet
 thence North 08 Degrees 51 Minutes 23 Seconds East 103.1 feet
 thence North 09 Degrees 17 Minutes 04 Seconds East 96.5 feet
 thence North 11 Degrees 13 Minutes 43 Seconds East 82.1 feet
 thence North 13 Degrees 57 Minutes 17 Seconds East 81.3 feet
 thence North 15 Degrees 46 Minutes 48 Seconds East 73.4 feet
 thence North 20 Degrees 35 Minutes 30 Seconds East 58 feet

thence North 24 Degrees 02 Minutes 36 Seconds East 49.4 feet
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thence North 39 Degrees 41 Minutes 46 Seconds East 61.3 feet
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thence North 27 Degrees 36 Minutes 20 Seconds East 68.7 feet
thence North 14 Degrees 30 Minutes 37 Seconds East 52.6 feet
thence North 08 Degrees 26 Minutes 24 Seconds East 21.6 feet
thence North 03 Degrees 20 Minutes 46 Seconds East 15.5 feet
thence North 04 Degrees 05 Minutes 34 Seconds East 21.4 feet
thence North 04 Degrees 17 Minutes 07 Seconds West 37.8 feet
thence North 03 Degrees 01 Minutes 56 Seconds West 6.9 feet

more or less to **the ending point**
at: 37 degrees 43 minutes 29.42 seconds North Latitude and -111 degrees 31 minutes 40.73 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,632,324.4 feet and Y = 10,227,800.4 feet.