

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

Ent 251422 Bk 430 Pg 588
Date: 12-MAY-2008 10:03AM
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 PURPLE HILLS ROAD; County Road Number: 0655E; State Geographic Information Database (SGID) Road Identification Number: RD090105. Total road length is 3.34 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 23rd 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.

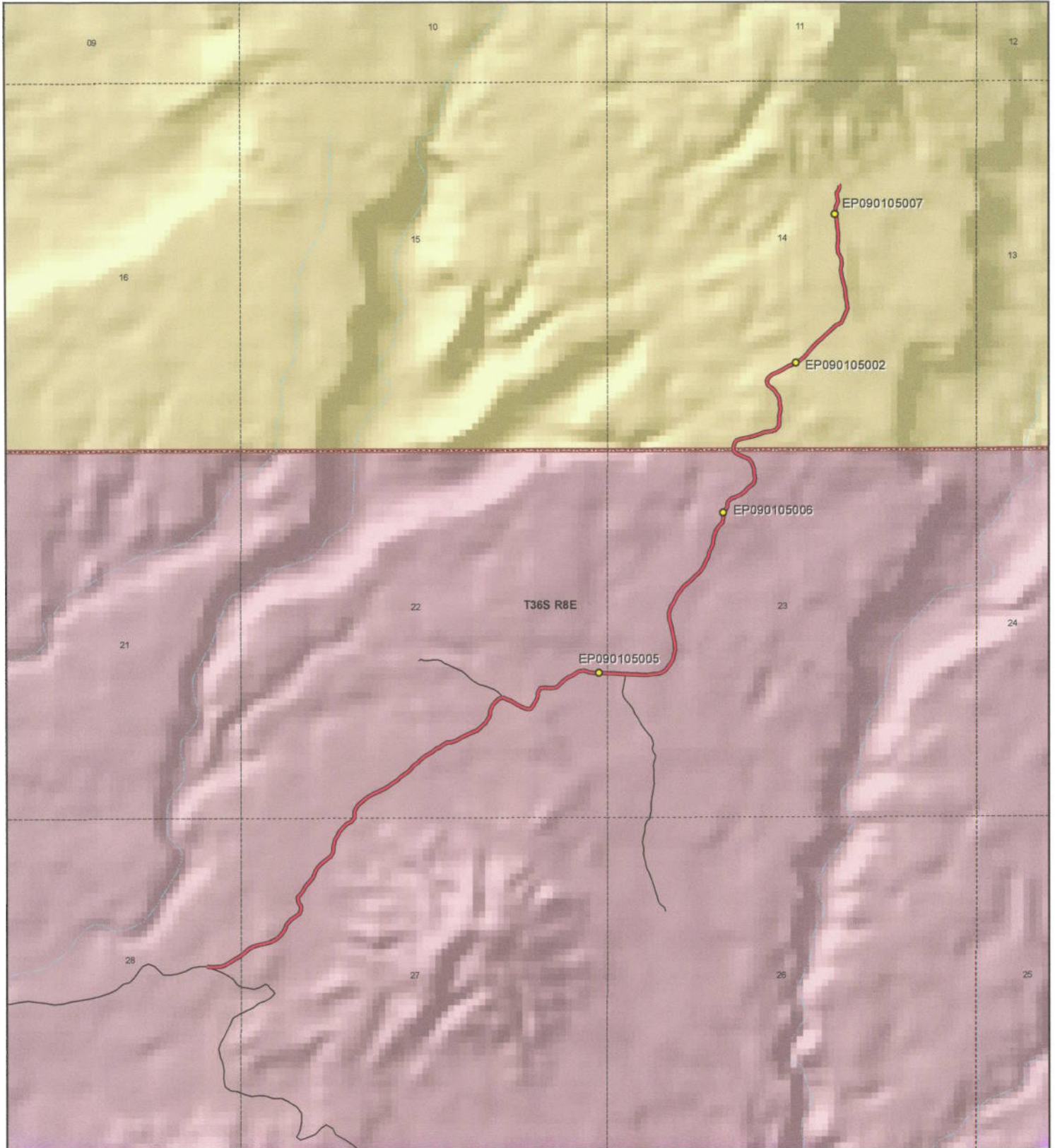
Dated this 23rd day of April, 2008.





Notary Public

Attachment 1



 <p>1:22,408 1 inch equals 0.4 miles</p>		<p style="text-align: center;">PURPLE HILLS ROAD - Garfield County SGID RD_ID RD090105</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> PURPLE HILLS 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	PURPLE HILLS 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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NPS, National Park																																			

Attachment 2



EP090105005



EP090105006



EP090105002



EP090105007

EP000000000

EP000000000

PURPLE HILLS ROAD - Garfield County
SGID RD_ID RD090105

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
February 29, 2008



Attachment 3

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

Popular Name: PURPLE HILLS ROAD

County: Garfield

County Road Number: 0655E

State Geographic Information Database (SGID) Road Identification Number: RD090105.

Total Road Length: 3.34 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 39 minutes 01.67 seconds North Latitude and -111 degrees 01 minutes 047.1 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,776,559.5 feet and Y = 10,201,059.3 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 40 minutes 52.49 seconds North Latitude and -110 degrees 59 minutes 053.9 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,785,603.0 feet and Y = 10,212,316.2 feet based on the US Survey Foot conversion.

This road may traverse:

Township 36 South Range 8 East, Section(s) 14,22,23,27,28, 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: PURPLE HILLS ROAD

County: Garfield

County Road Number: 0655E

State Geographic Information Database (SGID) Road Identification Number: RD090105.

Total Road Length: 3.34 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
RD090105	001	NPS	2.4 Miles	(not shown)
RD090105	002	BLM	0.94 Miles	A
		Total Road Length	3.34	_____

* 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 FARLAN BEHUNIN

PURPLE HILLS ROAD

GARFIELD COUNTY, UTAH

ROAD NUMBER 0655E

State of Utah)
 : ss.
County of Garfield)

FARLAN BEHUNIN, 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 Boulder, Garfield County, Utah. I was born and raised in Garfield County and have lived in the county most of my life. I have worked for the Garfield County Roads Department for the past ten years.

2. I have traveled and am familiar with a road in Garfield County known as Purple Hills Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950s it followed the same route as in 2006 when I last observed it. Attached is a Garfield County map showing Purple Hills 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. 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 early 1950s and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by means of trucks, pickup trucks and ATVs. Throughout this time period, the road has been used daily, weather permitting, for more than ten continuous years prior to 1976, and was so used in 2006.

5. Throughout the time period from the early 1950s to 2006, I have used the road myself for livestock operations, county road maintenance, recreation 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, sightseeing, ATV travel, horse back riding, hiking and back packing.

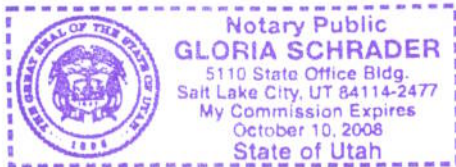
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed the graded surface of the road and other evidence of maintenance and construction activities such as berms along the side of the road.

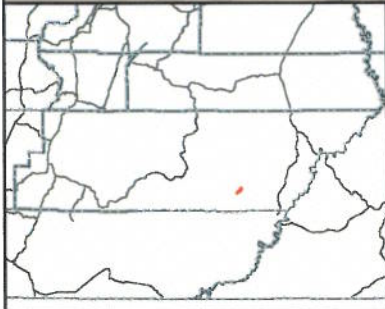
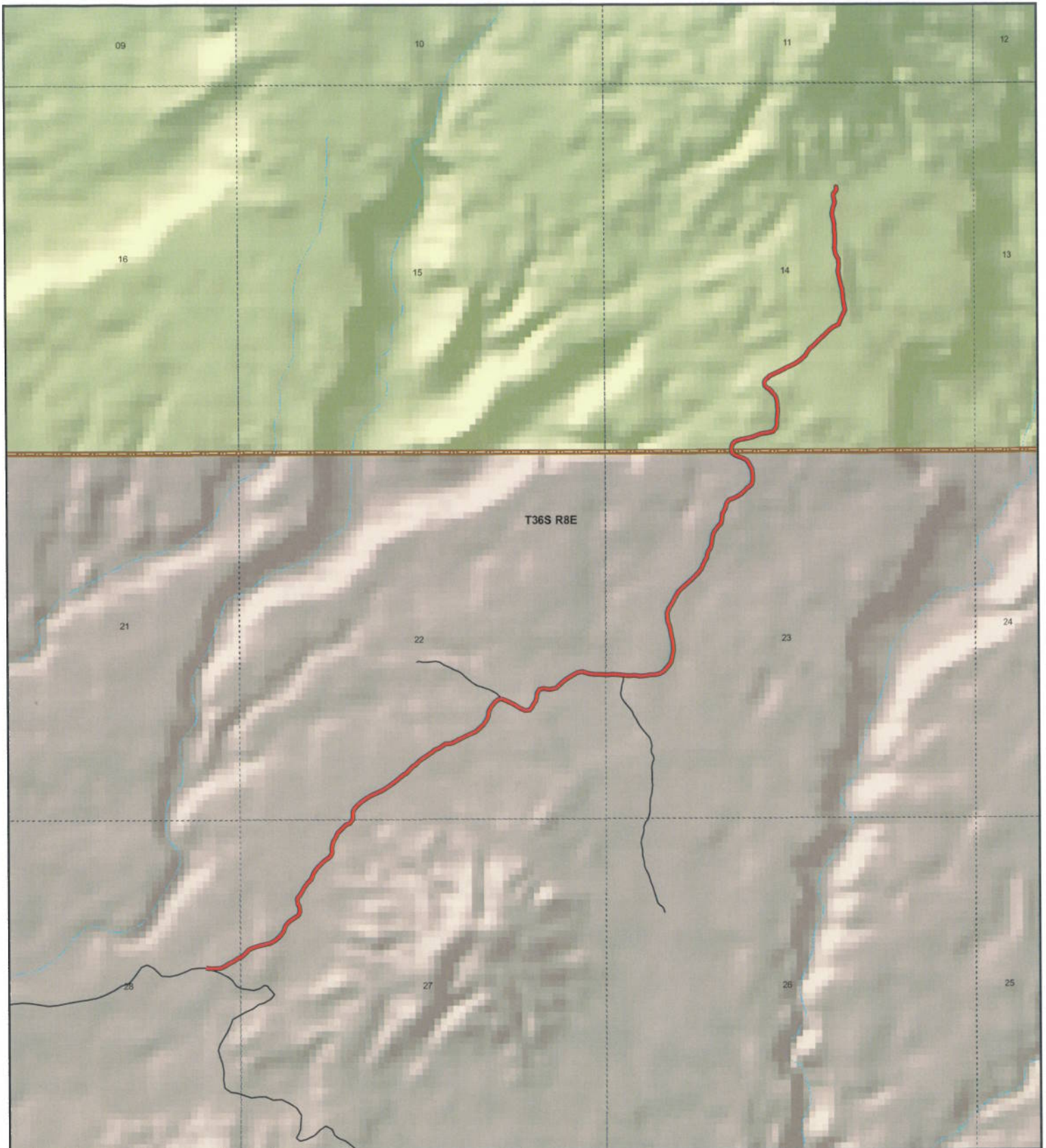
DATED this 11 day of July, 2007.


FARLAN BEHUNIN

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




NOTARY PUBLIC



PURPLE HILLS RD
County Unique - 0655E

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

- PURPLE HILLS RD
- State / U.S. Highway
- Local Roads

Misc

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



1:22,112
 1 inch equals 0.3 miles



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



AFFIDAVIT OF DELL LEFEVRE
PURPLE HILLS ROAD
COUNTY ROAD NUMBER 0655E
GARFIELD COUNTY, UTAH

State of Utah)
 : ss.
County of Garfield)

DELL LEFEVRE, 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 55 years. I have been a Garfield Commissioner for 17 years.

2. I first used and have observed and am familiar with a road in Garfield County known as Purple Hills Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1958, it followed the same route as in 2000 when I last observed it. Attached is a Garfield County map showing Purple Hills 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 1958 and continuing through 1976 to 2000. 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 used daily in 2000.

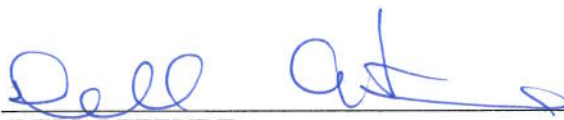
4. Throughout the time period from 1958 to 2000, I have used and observed vehicles using the road for drilling, livestock operations and travel in and through the area.

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 hunting, recreation, river access, rock hounding and government access.

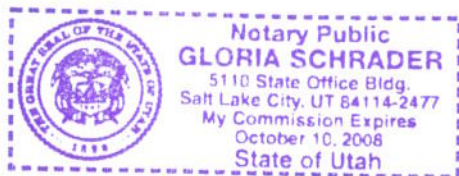
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

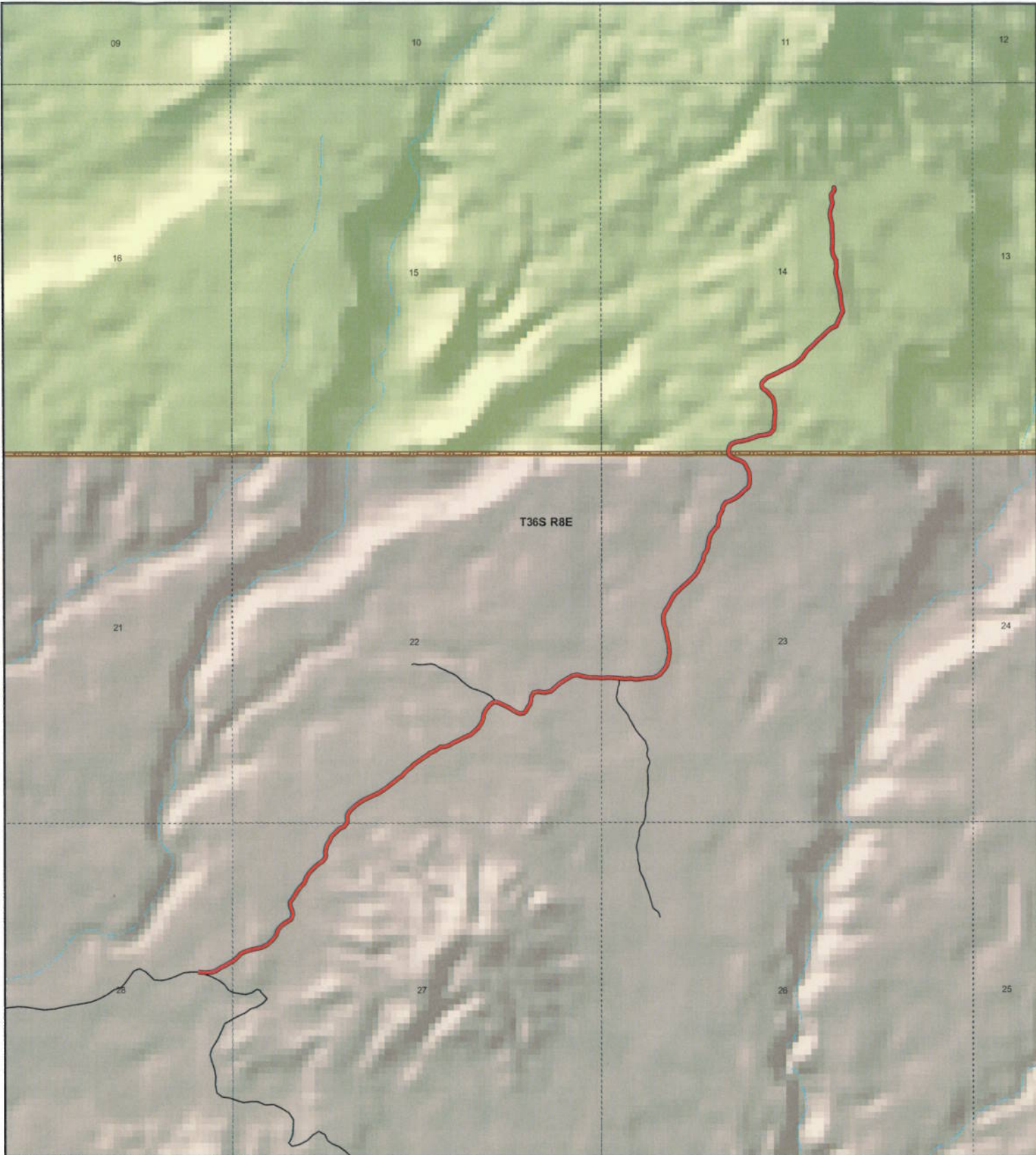
Dated this 9 day of July, 2007.


DELL LEFEVRE

SUBSCRIBED AND SWORN to before me this 9th day of July, 2007.




NOTARY PUBLIC



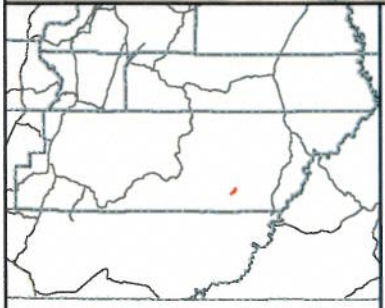
PURPLE HILLS RD
County Unique - 0655E

- 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**
- PURPLE HILLS RD
 - State / U.S. Highway
 - Local Roads
- Misc**
- City / Town
 - Municipalities
 - Section = 1 Mile
 - Monument Boundary



1:22,112
 1 inch equals 0.3 miles



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

Ent 251422 Bl 0430 Pl 0600

Appendix A to Attachment 4

Popular Name: PURPLE HILLS ROAD

County: Garfield

County Road Number: 0655E

State Geographic Information Database (SGID) Road Identification Number: RD090105.

Road-Segment Number: 002

Road-Segment Length: 0.94 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 36 South Range 8 East, Section(s) 14, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (PURPLE HILLS ROAD)-- Segment 002 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 40 minutes 14.95 seconds North Latitude and -111 degrees 00 minutes 12.85 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,784,099.8 feet and Y = 10,208,510.4 feet; thence the following courses along the said road center line:

thence North 11 Degrees 44 Minutes 17 Seconds West 6.4 feet
thence North 11 Degrees 44 Minutes 18 Seconds West 8 feet
thence North 12 Degrees 34 Minutes 54 Seconds East 39.7 feet
thence North 15 Degrees 57 Minutes 13 Seconds East 49.2 feet
thence North 40 Degrees 46 Minutes 03 Seconds East 47.5 feet
thence North 70 Degrees 02 Minutes 23 Seconds East 78.1 feet
thence North 80 Degrees 34 Minutes 02 Seconds East 82.8 feet
thence North 75 Degrees 54 Minutes 16 Seconds East 92.3 feet
thence North 71 Degrees 06 Minutes 16 Seconds East 77.2 feet
thence North 69 Degrees 41 Minutes 25 Seconds East 79.6 feet
thence North 79 Degrees 19 Minutes 22 Seconds East 51 feet

thence North 80 Degrees 41 Minutes 59 Seconds East 46.2 feet
thence North 72 Degrees 53 Minutes 43 Seconds East 72.7 feet
thence North 39 Degrees 38 Minutes 05 Seconds East 71.1 feet
thence North 04 Degrees 35 Minutes 33 Seconds East 57.6 feet
thence North 01 Degrees 11 Minutes 15 Seconds West 42.7 feet
thence North 06 Degrees 56 Minutes 48 Seconds East 54.6 feet
thence North 11 Degrees 00 Minutes 12 Seconds East 28.4 feet
thence North 05 Degrees 18 Minutes 40 Seconds East 40.2 feet
thence North 01 Degrees 49 Minutes 50 Seconds East 44 feet
thence North 11 Degrees 21 Minutes 45 Seconds West 29.1 feet
thence North 04 Degrees 48 Minutes 30 Seconds West 41.8 feet
thence North 08 Degrees 03 Minutes 14 Seconds West 48.7 feet
thence North 19 Degrees 19 Minutes 55 Seconds West 50.3 feet
thence North 30 Degrees 31 Minutes 25 Seconds West 34.6 feet
thence North 36 Degrees 42 Minutes 37 Seconds West 40.4 feet
thence North 42 Degrees 17 Minutes 36 Seconds West 44.2 feet
thence North 53 Degrees 26 Minutes 11 Seconds West 36.1 feet
thence North 56 Degrees 57 Minutes 08 Seconds West 31 feet
thence North 39 Degrees 44 Minutes 28 Seconds West 45.5 feet
thence North 12 Degrees 11 Minutes 41 Seconds West 44.6 feet
thence North 21 Degrees 06 Minutes 23 Seconds East 36 feet
thence North 47 Degrees 10 Minutes 59 Seconds East 42.7 feet
thence North 49 Degrees 23 Minutes 18 Seconds East 48.2 feet
thence North 64 Degrees 13 Minutes 49 Seconds East 76.3 feet
thence North 63 Degrees 18 Minutes 04 Seconds East 97.5 feet
thence North 62 Degrees 15 Minutes 53 Seconds East 87.6 feet
thence North 64 Degrees 10 Minutes 47 Seconds East 80 feet
thence North 66 Degrees 27 Minutes 36 Seconds East 70.7 feet
thence North 52 Degrees 06 Minutes 41 Seconds East 84.5 feet
thence North 47 Degrees 22 Minutes 38 Seconds East 89.2 feet
thence North 32 Degrees 20 Minutes 31 Seconds East 65.1 feet
thence North 43 Degrees 15 Minutes 41 Seconds East 55.7 feet
thence North 44 Degrees 18 Minutes 32 Seconds East 69.2 feet
thence North 45 Degrees 16 Minutes 06 Seconds East 69.4 feet
thence North 44 Degrees 54 Minutes 35 Seconds East 61.5 feet
thence North 47 Degrees 53 Minutes 35 Seconds East 74.8 feet
thence North 47 Degrees 13 Minutes 11 Seconds East 94.8 feet
thence North 49 Degrees 53 Minutes 17 Seconds East 94.8 feet
thence North 62 Degrees 04 Minutes 38 Seconds East 80 feet
thence North 23 Degrees 39 Minutes 22 Seconds East 74.3 feet
thence North 25 Degrees 36 Minutes 00 Seconds East 76.6 feet
thence North 23 Degrees 21 Minutes 05 Seconds East 75.2 feet
thence North 10 Degrees 33 Minutes 47 Seconds West 70 feet
thence North 10 Degrees 45 Minutes 45 Seconds West 77.8 feet
thence North 03 Degrees 52 Minutes 07 Seconds West 84.5 feet
thence North 08 Degrees 37 Minutes 55 Seconds West 68 feet
thence North 14 Degrees 47 Minutes 05 Seconds West 72.2 feet
thence North 14 Degrees 20 Minutes 33 Seconds West 94.7 feet
thence North 11 Degrees 36 Minutes 58 Seconds West 98.7 feet

thence North 08 Degrees 59 Minutes 13 Seconds East 91.5 feet
thence North 06 Degrees 01 Minutes 00 Seconds West 82.5 feet
thence North 27 Degrees 53 Minutes 07 Seconds West 82.9 feet
thence North 06 Degrees 59 Minutes 30 Seconds West 90.2 feet
thence North 01 Degrees 45 Minutes 40 Seconds East 91 feet
thence North 00 Degrees 06 Minutes 38 Seconds West 96.2 feet
thence North 02 Degrees 49 Minutes 12 Seconds West 67.3 feet
thence North 04 Degrees 18 Minutes 29 Seconds West 79.9 feet
thence North 08 Degrees 46 Minutes 18 Seconds West 71.3 feet
thence North 13 Degrees 20 Minutes 01 Seconds West 85.9 feet
thence North 08 Degrees 49 Minutes 39 Seconds East 84.8 feet
thence North 18 Degrees 33 Minutes 45 Seconds East 82.2 feet
thence North 12 Degrees 16 Minutes 56 Seconds West 66.4 feet
thence North 09 Degrees 55 Minutes 53 Seconds West 56.9 feet
thence North 36 Degrees 33 Minutes 48 Seconds East 55.8 feet
thence North 24 Degrees 42 Minutes 37 Seconds East 32.6 feet
thence North 04 Degrees 58 Minutes 23 Seconds West 32.3 feet
thence North 37 Degrees 42 Minutes 42 Seconds West 7 feet more or less to **the ending point**

at: 37 degrees 40 minutes 52.49 seconds North Latitude and -110 degrees 59 minutes 053.9 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,785,603.0 feet and Y = 10,212,316.2 feet.