

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

Ent 251426 Bk 430 Pg 640
Date: 12-MAY-2008 10:11AM
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 GARDEN BASIN ROAD; County Road Number: 1186; State Geographic Information Database (SGID) Road Identification Number: RD090114. Total road length is 1.94 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)

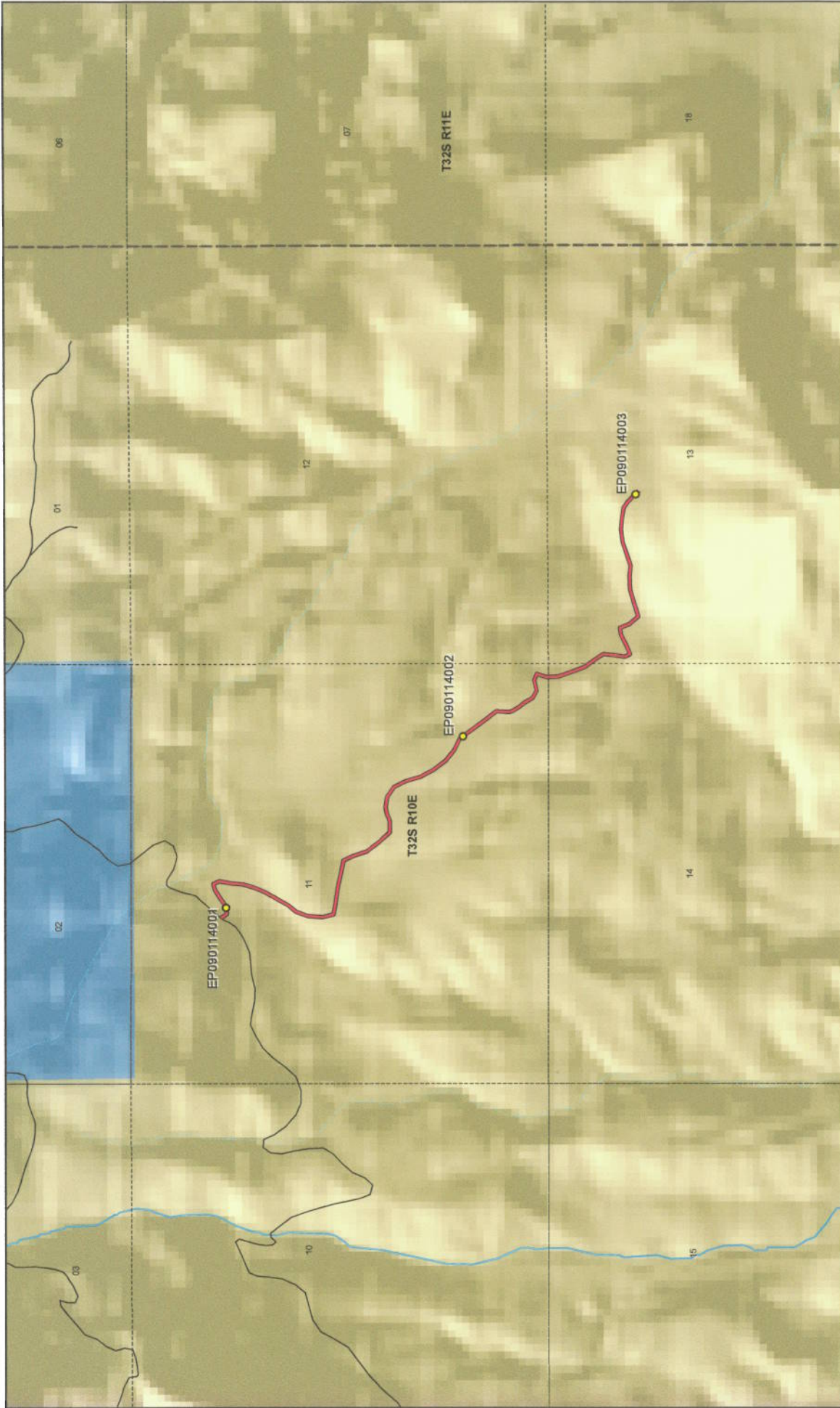
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to 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.

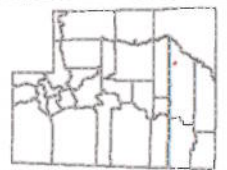




Notary Public



1:20,201
1 inch equals 0.3 miles



- Land Ownership Categories**
- BLM
 - Private
 - SITLA, State Trust Land
 - USFS, National Forest
 - State Parks and Recreation
 - Tribal, Indian Reservation
 - NPS, National Park
 - Wilderness
 - JDWR Wildlife Reserve
 - DOD, Military
 - State Sovereign Land
 - National Recreation Area
 - USFWS, Natl. Wildlife Refuge

- Transportation Network**
- GARDEN BASIN ROAD
 - Other Roads
 - Title V, Issued Or Under Consideration By BLM Or County
 - Photo Event Point
 - Section = 1 Mile

**GARDEN BASIN ROAD - Garfield County
SGID RD_ID RD090114**

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Feb 27, 2008



Attachment 2



EP090114001



EP090114002



EP090114003

EP000000000

EP000000000

EP000000000

GARDEN BASIN ROAD - Garfield County
SGID RD_ID RD090114

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: GARDEN BASIN ROAD

County: Garfield

County Road Number: 1186

State Geographic Information Database (SGID) Road Identification Number: RD090114.

Total Road Length: 1.94 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 02 minutes 31.04 seconds North Latitude and -110 degrees 46 minutes 42.85 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,848,178.0 feet and Y = 10,344,074.1 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 01 minutes 38.74 seconds North Latitude and -110 degrees 45 minutes 35.73 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,853,588.9 feet and Y = 10,338,826.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 32 South Range 10 East, Section(s) 11,13,14, 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: GARDEN BASIN ROAD

County: Garfield

County Road Number: 1186

State Geographic Information Database (SGID) Road Identification Number: RD090114.

Total Road Length: 1.94 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
RD090114	001	BLM	1.94 Miles	A
		Total Road Length	1.94	_____

* 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 FRELAND ALVEY
GARDEN BASIN ROAD
GARFIELD COUNTY, UTAH
ROAD NUMBER 1186

State of Utah)
 : ss.
County of Garfield)

FRELAND ALVEY, 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 Escalante, Garfield County, Utah. I was born and raised in Garfield County and have lived in the county for 74 years. I worked for the Garfield County Roads Department for twelve years from the early 1950s to the mid 1960s.

2. I have traveled and am familiar with a road in Garfield County known as Garden Basin 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 the mid 1960s when I last observed it. Attached is a Garfield County map showing Garden Basin 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 the mid 1960s. Throughout this time period I observed travel on the road by means of cars, trucks, pickup trucks. During this time period, the road was used daily, weather permitting, for more than ten continuous years prior to 1976.

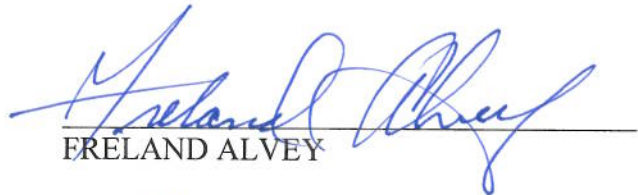
5. Throughout the time period from the early 1950s to the mid 1960s, I used the road myself for county road maintenance and travel in and through the area.

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 livestock operations, hunting, recreation, sightseeing, prospecting for minerals and oil and gas exploration.

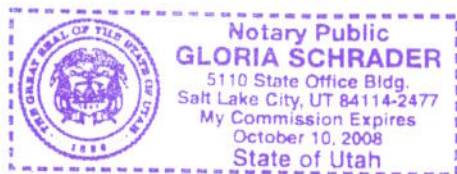
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally graded and performed maintenance and construction work on the road.

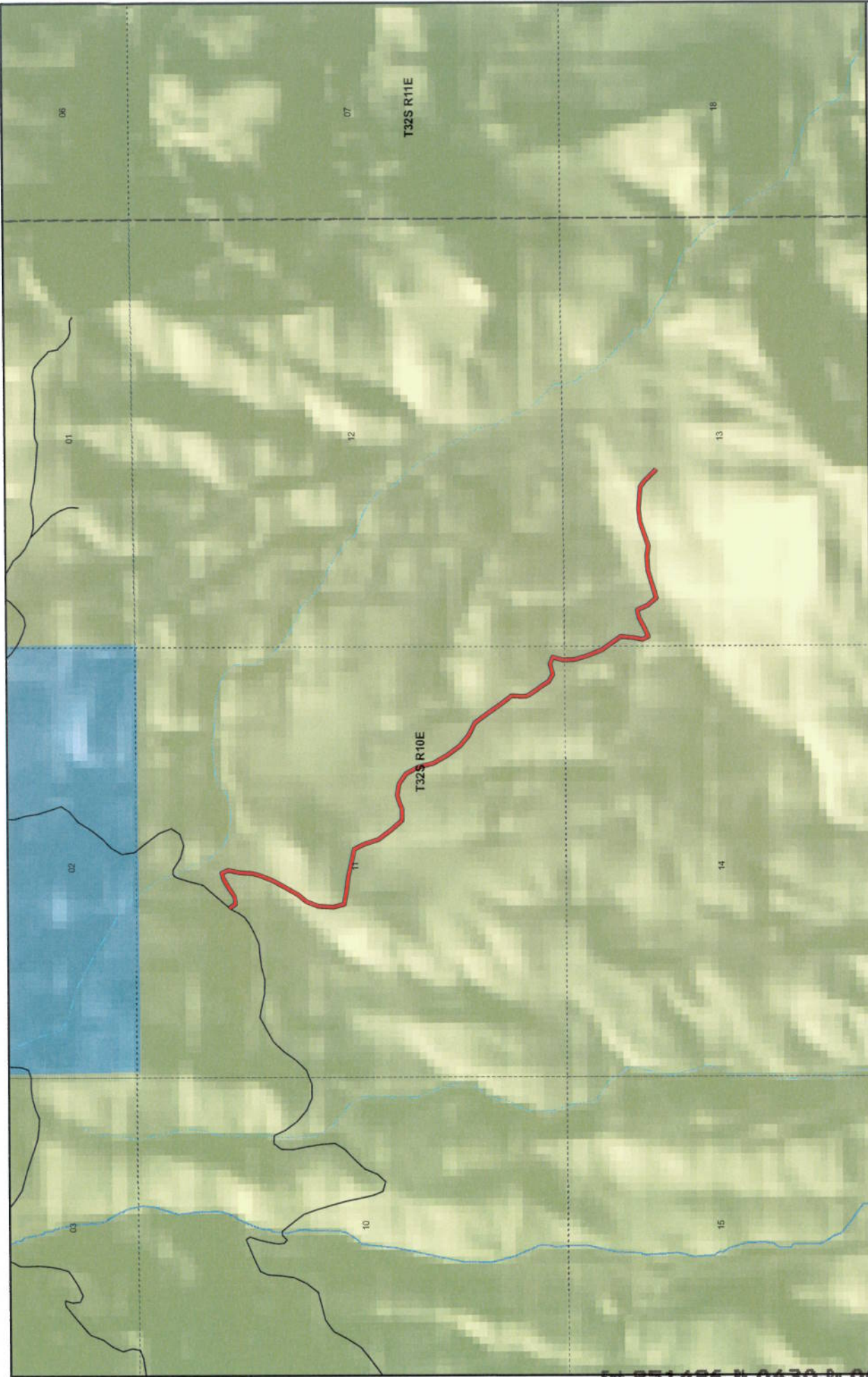

DATED this 11 day of July, 2007.


ERELAND ALVEY

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





NOTARY PUBLIC

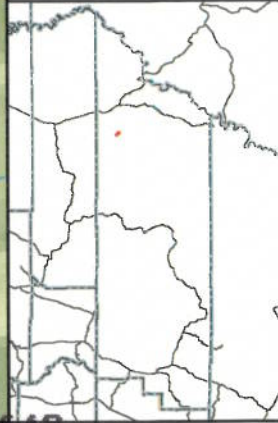
1:19,263
1 inch equals 0.3 miles

Map prepared by the State of Utah
Automated Geospatial Reference Center
AGRC
Room 5100 State Office Building
Salt Lake City, Utah 84114
July 02, 2007




GARDEN BASIN RD County Unique - 1186

<p>Land Ownership Categories</p> <ul style="list-style-type: none"> BLM Private SITLA, State Trust Land USFS, National Forest National Park/Monument (NPS) 	<p>Misc</p> <ul style="list-style-type: none"> Wildlife Reserve National Rec. Area Wilderness State Park City / Town Municipalities Section = 1 Mile Monument Boundary 	<p>Transportation Network</p> <ul style="list-style-type: none"> GARDEN BASIN RD State / U.S. Highway Local Roads
--	---	---



AFFIDAVIT OF ARNOLD ALVEY

GARDEN BASIN ROAD

GARFIELD COUNTY, UTAH

ROAD NUMBER 1186

State of Utah)
 : ss.
County of Garfield)

ARNOLD ALVEY, 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 Escalante, Garfield County, Utah. I was born and raised in Garfield County and have lived in the county for 78 years. I worked for the Garfield County Roads Department seasonally during the 1950s.

2. I have traveled and am familiar with a road in Garfield County known as Garden Basin 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 1987 when I last observed it. Attached is a Garfield County map showing Garden Basin 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 1987. Throughout this time period I have observed travel on the road by means of cars, 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 1987.

5. Throughout the time period from the early 1950s to 1987, I have used the road myself for livestock operations, county road maintenance, hunting, oil and gas exploration, 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 recreation, sightseeing, seismograph work and prospecting for minerals.

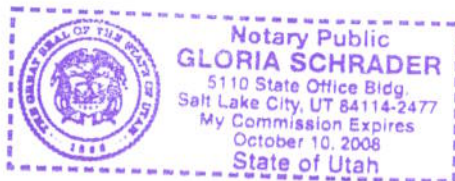
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I participated in county road maintenance work on the road and observed graders and county road maintenance equipment performing maintenance and construction activities on the road.

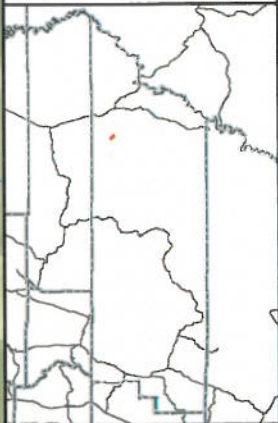
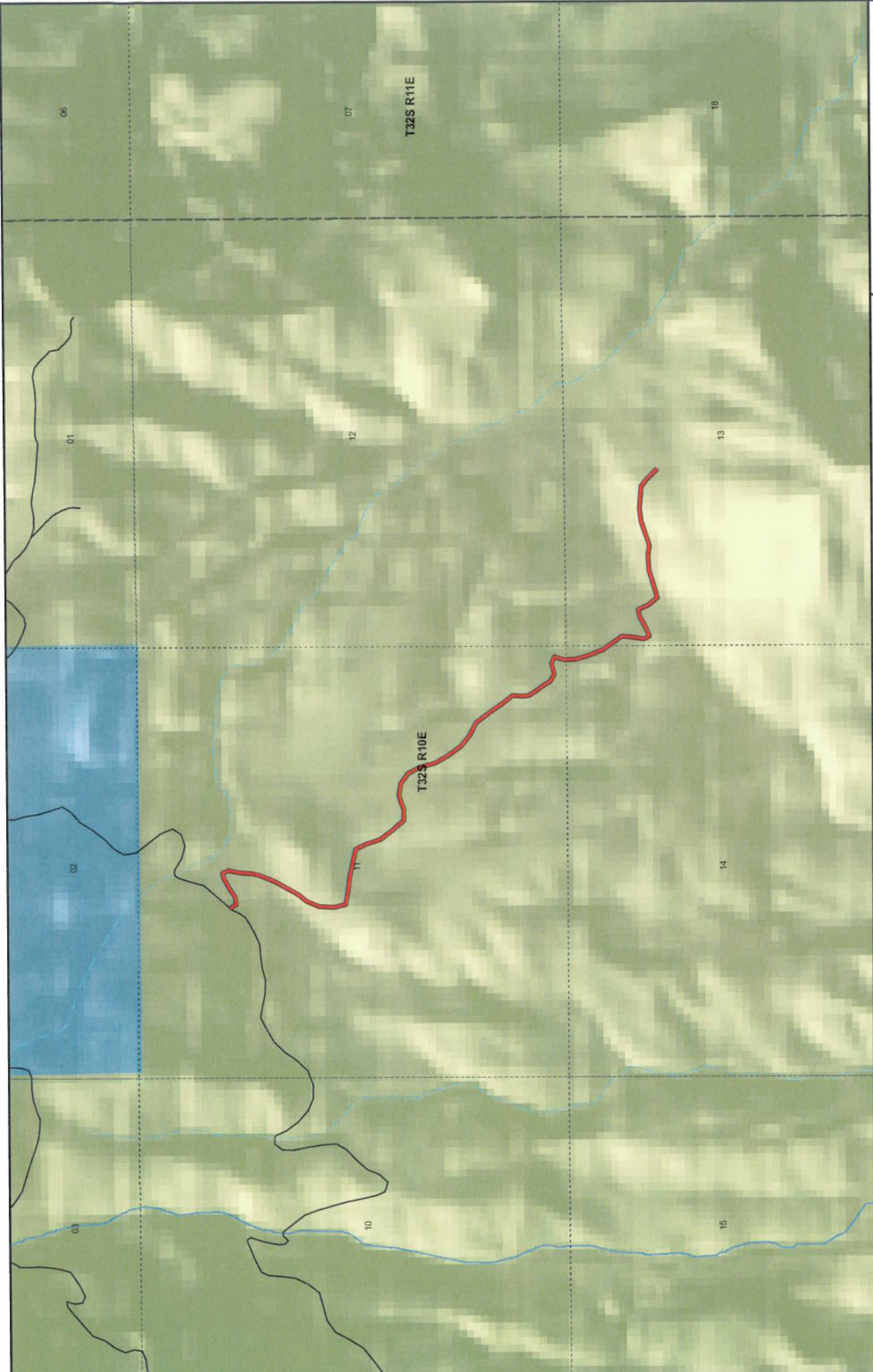
DATED this 11 day of July, 2007.


ARNOLD ALVEY

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




NOTARY PUBLIC



GARDEN BASIN RD
County Unique - 1186

- Land Ownership Categories**
- BLM
 - Private
 - SITLA, State Trust Land
 - USFS, National Forest
 - National Park/Monument (NPS)

- Misc**
- Wildlife Reserve
 - National Rec. Area
 - Wilderness
 - State Park
 - City / Town
 - Municipalities
 - Section = 1 Mile
 - Monument Boundary

- Transportation Network**
- GARDEN BASIN RD
 - State / U.S. Highway
 - Local Roads

1:19,263
1 inch equals 0.5 miles



Map prepared by the State of Utah
AGRC
Automatic Geographic Reference Center
Room 6119, Natural Resources Building
Salt Lake City, Utah 84114
July 9, 2007



Appendix A to Attachment 4

Popular Name: GARDEN BASIN ROAD

County: Garfield

County Road Number: 1186

State Geographic Information Database (SGID) Road Identification Number: RD090114.

Road-Segment Number: 001

Road-Segment Length: 1.94 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 32 South Range 10 East, Section(s) 11,13,14, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (GARDEN BASIN 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 38 degrees 02 minutes 31.04 seconds North Latitude and -110 degrees 46 minutes 42.85 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,848,178.0 feet and Y = 10,344,074.1 feet; thence the following courses along the said road center line:

thence South 46 Degrees 53 Minutes 48 Seconds East	16.7 feet
thence South 32 Degrees 06 Minutes 16 Seconds East	19.3 feet
thence South 35 Degrees 50 Minutes 35 Seconds East	56.5 feet
thence North 85 Degrees 17 Minutes 44 Seconds East	85.6 feet
thence North 55 Degrees 00 Minutes 34 Seconds East	115.3 feet
thence North 56 Degrees 11 Minutes 57 Seconds East	80.3 feet
thence North 62 Degrees 42 Minutes 51 Seconds East	40.5 feet
thence North 58 Degrees 52 Minutes 43 Seconds East	21.8 feet
thence North 75 Degrees 18 Minutes 46 Seconds East	79.3 feet
thence South 24 Degrees 28 Minutes 49 Seconds East	80.9 feet
thence South 09 Degrees 53 Minutes 54 Seconds West	150.1 feet

thence South 05 Degrees 46 Minutes 00 Seconds West 155.1 feet
 thence South 12 Degrees 56 Minutes 56 Seconds West 75.9 feet
 thence South 17 Degrees 22 Minutes 58 Seconds West 63.7 feet
 thence South 21 Degrees 37 Minutes 03 Seconds West 143.3 feet
 thence South 29 Degrees 30 Minutes 12 Seconds West 181.6 feet
 thence South 28 Degrees 49 Minutes 31 Seconds West 167.2 feet
 thence South 39 Degrees 11 Minutes 15 Seconds West 123.3 feet
 thence South 21 Degrees 23 Minutes 09 Seconds West 158.9 feet
 thence South 03 Degrees 14 Minutes 46 Seconds West 190.7 feet
 thence South 14 Degrees 42 Minutes 26 Seconds East 137.2 feet
 thence South 80 Degrees 22 Minutes 34 Seconds East 152.3 feet
 thence South 81 Degrees 58 Minutes 56 Seconds East 192.7 feet
 thence South 77 Degrees 51 Minutes 57 Seconds East 182.8 feet
 thence South 78 Degrees 46 Minutes 15 Seconds East 164.1 feet
 thence South 25 Degrees 44 Minutes 41 Seconds East 134.5 feet
 thence South 18 Degrees 19 Minutes 18 Seconds East 184.6 feet
 thence South 37 Degrees 22 Minutes 12 Seconds East 193.3 feet
 thence South 41 Degrees 40 Minutes 08 Seconds East 179.3 feet
 thence North 89 Degrees 00 Minutes 14 Seconds East 136.2 feet
 thence North 70 Degrees 02 Minutes 26 Seconds East 48.8 feet
 thence North 67 Degrees 48 Minutes 55 Seconds East 44.9 feet
 thence North 74 Degrees 05 Minutes 32 Seconds East 90.3 feet
 thence South 80 Degrees 13 Minutes 08 Seconds East 138.7 feet
 thence South 55 Degrees 27 Minutes 16 Seconds East 152.8 feet
 thence South 27 Degrees 09 Minutes 44 Seconds East 172.9 feet
 thence South 15 Degrees 56 Minutes 52 Seconds East 187.5 feet
 thence South 28 Degrees 56 Minutes 24 Seconds East 187 feet
 thence South 37 Degrees 31 Minutes 29 Seconds East 193.7 feet
 thence South 50 Degrees 38 Minutes 30 Seconds East 169.7 feet
 thence South 65 Degrees 07 Minutes 40 Seconds East 169.7 feet
 thence South 34 Degrees 56 Minutes 47 Seconds East 197.5 feet
 thence South 36 Degrees 32 Minutes 05 Seconds East 205.5 feet
 thence South 37 Degrees 32 Minutes 25 Seconds East 164.9 feet
 thence South 03 Degrees 52 Minutes 05 Seconds West 121.8 feet
 thence South 04 Degrees 14 Minutes 18 Seconds East 52.6 feet
 thence South 17 Degrees 58 Minutes 23 Seconds East 46.5 feet
 thence South 33 Degrees 08 Minutes 45 Seconds East 85.9 feet
 thence South 37 Degrees 21 Minutes 43 Seconds East 100.8 feet
 thence South 30 Degrees 23 Minutes 22 Seconds East 110 feet
 thence South 60 Degrees 33 Minutes 38 Seconds East 105.8 feet
 thence North 75 Degrees 08 Minutes 03 Seconds East 130.5 feet
 thence South 67 Degrees 50 Minutes 45 Seconds East 90.2 feet
 thence South 16 Degrees 27 Minutes 42 Seconds West 132 feet
 thence South 02 Degrees 58 Minutes 06 Seconds East 18.3 feet
 thence South 02 Degrees 58 Minutes 06 Seconds East 122.9 feet
 thence South 17 Degrees 23 Minutes 00 Seconds East 166.5 feet
 thence South 22 Degrees 23 Minutes 00 Seconds East 189.5 feet
 thence South 34 Degrees 09 Minutes 24 Seconds East 70.2 feet
 thence South 34 Degrees 09 Minutes 22 Seconds East 91.8 feet

thence South 34 Degrees 49 Minutes 19 Seconds East 119.9 feet
thence South 04 Degrees 16 Minutes 06 Seconds West 139.9 feet
thence South 08 Degrees 53 Minutes 52 Seconds West 131.3 feet
thence South 28 Degrees 48 Minutes 04 Seconds East 78.4 feet
thence North 64 Degrees 30 Minutes 38 Seconds East 115.7 feet
thence North 63 Degrees 38 Minutes 09 Seconds East 149.4 feet
thence North 78 Degrees 10 Minutes 50 Seconds East 90.4 feet
thence South 21 Degrees 34 Minutes 41 Seconds East 132.1 feet
thence South 40 Degrees 53 Minutes 33 Seconds East 144.8 feet
thence North 72 Degrees 47 Minutes 09 Seconds East 163.6 feet
thence North 73 Degrees 26 Minutes 31 Seconds East 193.5 feet
thence North 86 Degrees 24 Minutes 18 Seconds East 171.6 feet
thence South 83 Degrees 48 Minutes 22 Seconds East 130.5 feet
thence North 72 Degrees 06 Minutes 39 Seconds East 146.7 feet
thence North 70 Degrees 41 Minutes 14 Seconds East 166.3 feet
thence North 83 Degrees 13 Minutes 28 Seconds East 160.2 feet
thence South 84 Degrees 54 Minutes 58 Seconds East 139.8 feet
thence South 83 Degrees 54 Minutes 09 Seconds East 132.4 feet
thence South 53 Degrees 10 Minutes 10 Seconds East 84.8 feet
thence South 46 Degrees 49 Minutes 19 Seconds East 114 feet
thence South 43 Degrees 15 Minutes 36 Seconds East 65 feet
thence South 60 Degrees 51 Minutes 36 Seconds East 23.4 feet more or less to **the ending**

point at: 38 degrees 01 minutes 38.74 seconds North Latitude and -110 degrees 45 minutes 35.73 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,853,588.9 feet and Y = 10,338,826.7 feet.