

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

Ent 486497 Bk 732 Pg 385-397  
Date: 27-MAY-2008 4:22PM  
Fee: None  
Filed By: PL  
MERLENE MOSHER DALTON, Recorder  
GRAND COUNTY CORPORATION  
For: 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Grand County as it pertains to the highway located in Grand County known as HORSE CANYON - BC ROAD; County Road Number: 00389; State Geographic Information Database (SGID) Road Identification Number: RD100219. Total road length is 3.64 miles more or less.

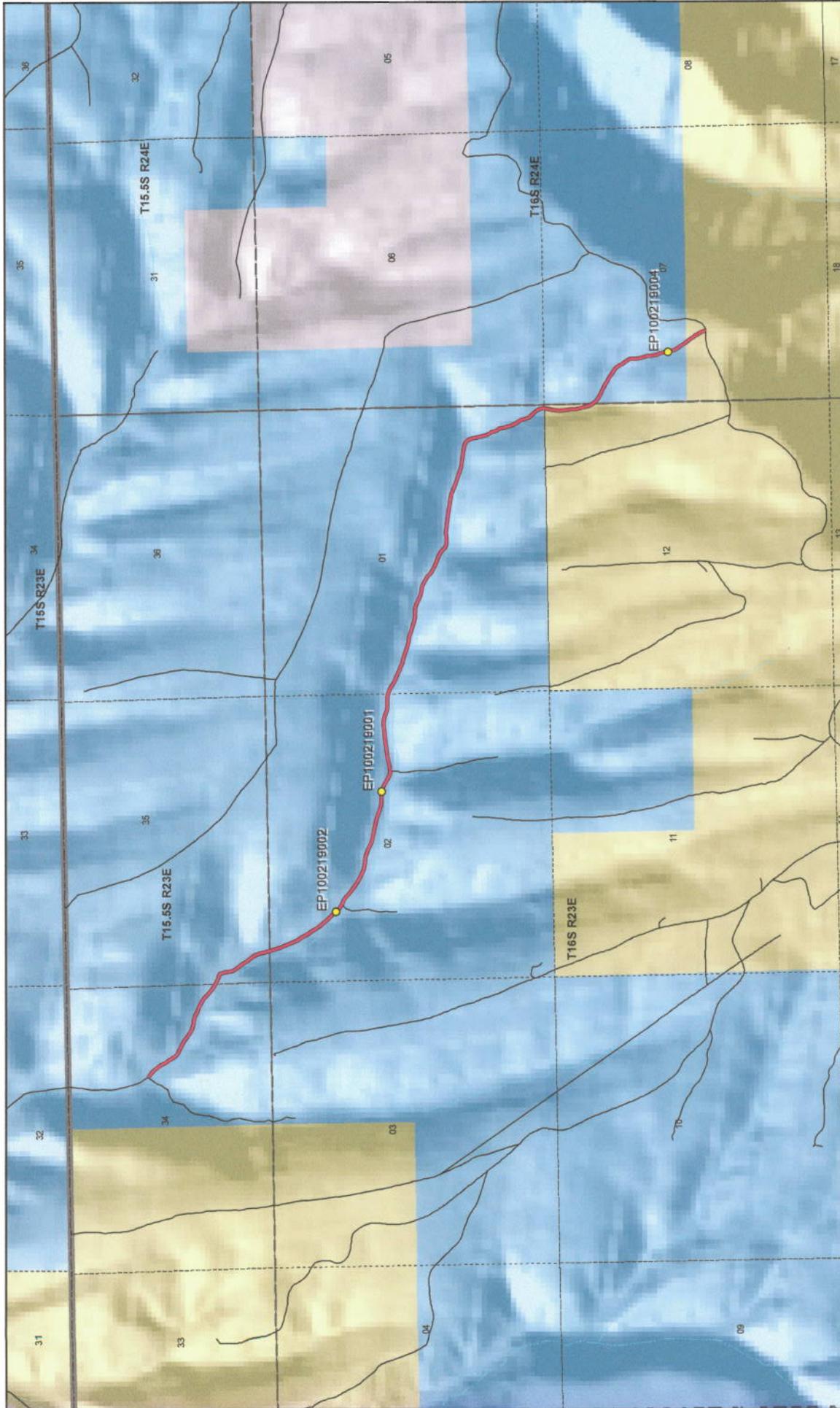
The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) 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



**Horse Canyon - BC Road - Grand County**  
**SGID RD\_ID RD100219**

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Tribal, Indian Reservation
- NPS, National Park

**Transportation Network**

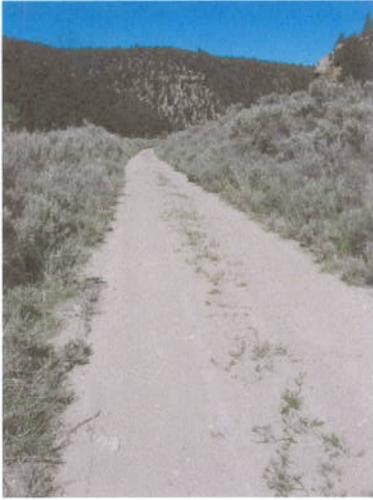
- Horse Canyon - BC Road
- Other Roads
- Title V, Issued Or Under Consideration By BLM Or County
- Photo Event Point

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Apr 17, 2008

1:29,634  
1 inch equals 0.5 miles

Section = 1 Mile

Attachment 2



EP100219001



EP100219002



EP100219004

EP000000000

EP000000000

EP000000000

Ent 486497 Bk 0732 Pg 0388

*Horse Canyon - BC Road - Grand County*  
**SGID RD\_ID RD100219**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
April 14, 2008



### Attachment 3

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

**Popular Name: HORSE CANYON - BC ROAD**

**County: Grand**

**County Road Number: 00389**

**State Geographic Information Database (SGID) Road Identification Number: RD100219.**

**Total Road Length: 3.64 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 27 minutes 29.72 seconds North Latitude and -109 degrees 21 minutes 47.92 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,243,636.5 feet and Y = 6,978,607.2 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 25 minutes 45.27 seconds North Latitude and -109 degrees 18 minutes 55.09 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,257,445.2 feet and Y = 6,968,370.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 15.5 South Range 23 East, Section(s) 34,35, Salt Lake Base & Meridian

Township 16 South Range 23 East, Section(s) 1,2,12, Salt Lake Base & Meridian

Township 16 South Range 24 East, Section(s) 7, 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: HORSE CANYON - BC ROAD**

**County: Grand**

**County Road Number: 00389**

**State Geographic Information Database (SGID) Road Identification Number: RD100219.**

**Total Road Length: 3.64 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).**

<b>Road-Segments Listed by SGID Road Identification Number (RD_ID)</b>	<b>Road-Segment Numbers</b>	<b>Believed Ownership Of Servient Estate</b>	<b>Approximate Segment Length</b>	<b>See Attached Appendix</b>
<b>RD100219</b>	<b>001</b>	<b>ST</b>	<b>2.97 Miles</b>	<b>(not shown)</b>
<b>RD100219</b>	<b>002</b>	<b>BLM</b>	<b>0.17 Miles</b>	<b>A</b>
<b>RD100219</b>	<b>003</b>	<b>ST</b>	<b>0.42 Miles</b>	<b>(not shown)</b>
<b>RD100219</b>	<b>004</b>	<b>BLM</b>	<b>0.08 Miles</b>	<b>B</b>
		<b>Total Road Length</b>	<b>3.64</b>	<b>_____</b>

\* 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 JIM TOMLINSON**

**HORSE CANYON - BC ROAD**

**COUNTY ROAD NUMBER 00389**

**GRAND COUNTY, UTAH**

State of Colorado            )  
  : ss.  
County of Mesa                )

JIM TOMLINSON, 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 Mesa County, Colorado for 69 years.

2. I have traveled and am familiar with a road in Grand County known as Horse Canyon - BC Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1952, it followed the same route as in 1992 when I last observed it. Attached is a Grand County map showing Horse Canyon - BC 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 1952 and continuing through 1976 to 1992. Throughout this time period I have observed travel on the road by various means, including cars, semis, maintenance vehicles, ATVs, trucks and jeeps. Throughout this time period, the road has been used monthly, for more than ten continuous years prior to 1976, and was so used in 1992.

4. Throughout the time period from 1952 to 1992, I have used the road myself for hunting, livestock operations and traveling 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 oil and gas exploration, wood gathering and camping.

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 the graded surface of the road.

Dated this 7 day of September, 2007.

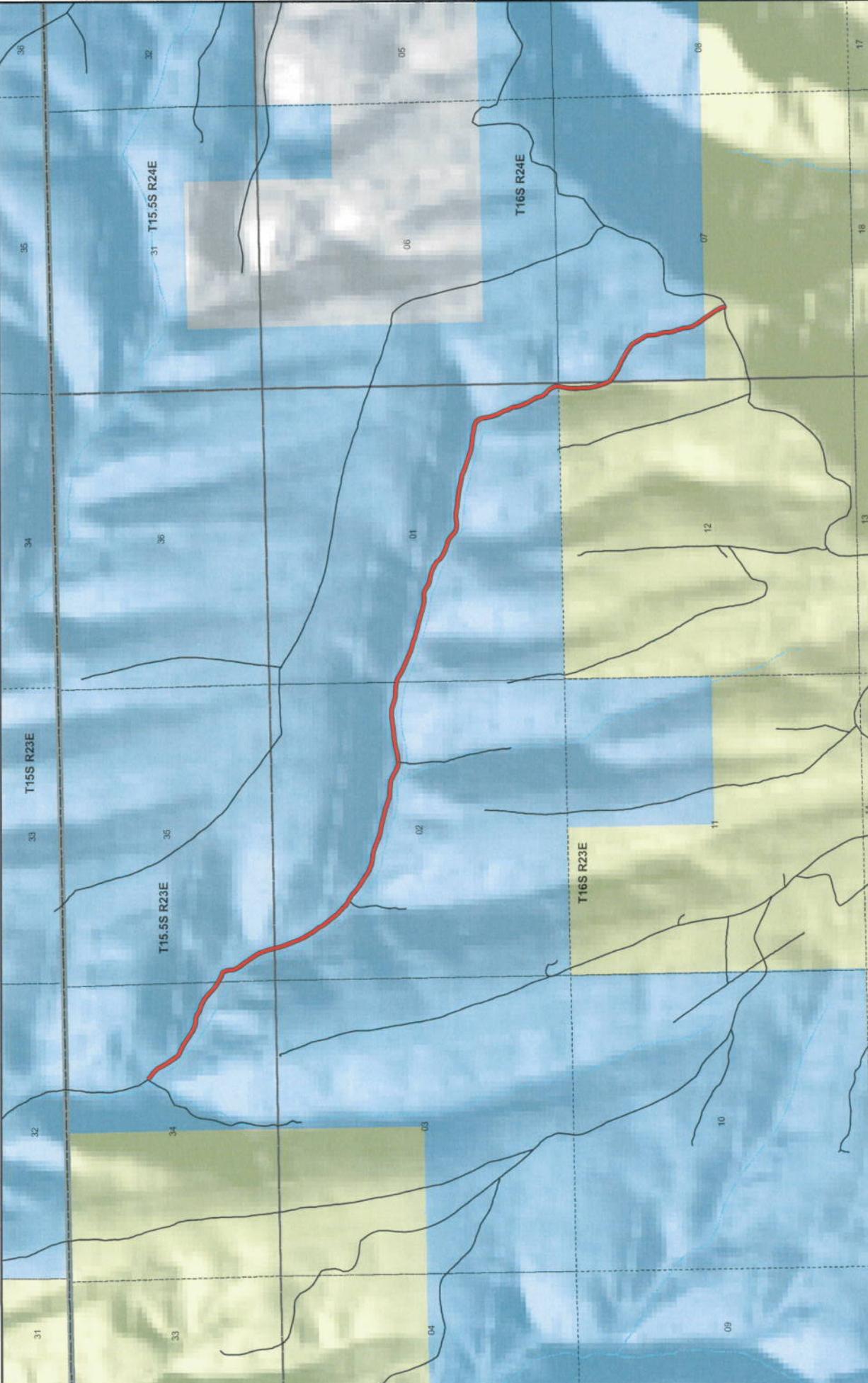
  
JIM TOMLINSON

SUBSCRIBED AND SWORN to before me this 7<sup>th</sup> day of September, 2007.

  
NOTARY PUBLIC

My Commission Expires: 1/27/2011

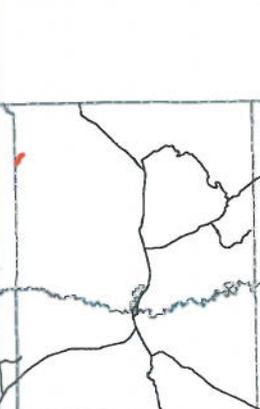




Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Jul 30, 2007

### Horse Canyon - BC County Unique - 00389

<b>Land Ownership Categories</b> <ul style="list-style-type: none"> <li>BLM</li> <li>State Sovereign Land</li> <li>SITLA, State Trust Land</li> <li>USFS, National Forest</li> <li>National Park (NPS)</li> <li>Private</li> </ul>	<b>Misc</b> <ul style="list-style-type: none"> <li>Wildlife Reserve</li> <li>Military</li> <li>Wilderness</li> <li>State Park</li> <li>Tribal Lands</li> </ul>	<b>Transportation Network</b> <ul style="list-style-type: none"> <li>Horse Canyon - BC</li> <li>State / U.S. Highway</li> <li>Local Roads</li> </ul>
<ul style="list-style-type: none"> <li>City / Town</li> <li>Municipalities</li> <li>Section = 1 Mile</li> </ul>		



**AFFIDAVIT OF BLAINE D. STEVENS**

**HORSE CANYON - BC ROAD**

**COUNTY ROAD NUMBER 00389**

**GRAND COUNTY, UTAH**

State of Utah                    )  
  : ss.  
County of Grand                )

BLAINE D. STEVENS, 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 Grand County for 45 years.

2. I have traveled and am familiar with a road in Grand County known as Horse Canyon-BC Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1940s it followed the same route as in 2006 when I last observed it. Attached is a Grand County map showing Horse Canyon -BC 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 late 1940s and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including trucks and jeeps. 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.

4. Throughout the time period from the late 1940s to 2006, I have used the road myself for hunting, law enforcement and traveling 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 livestock operations, oil and gas exploration, well access.

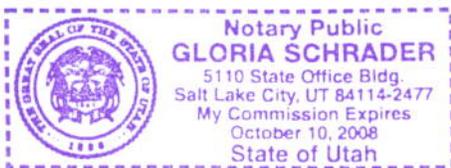
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

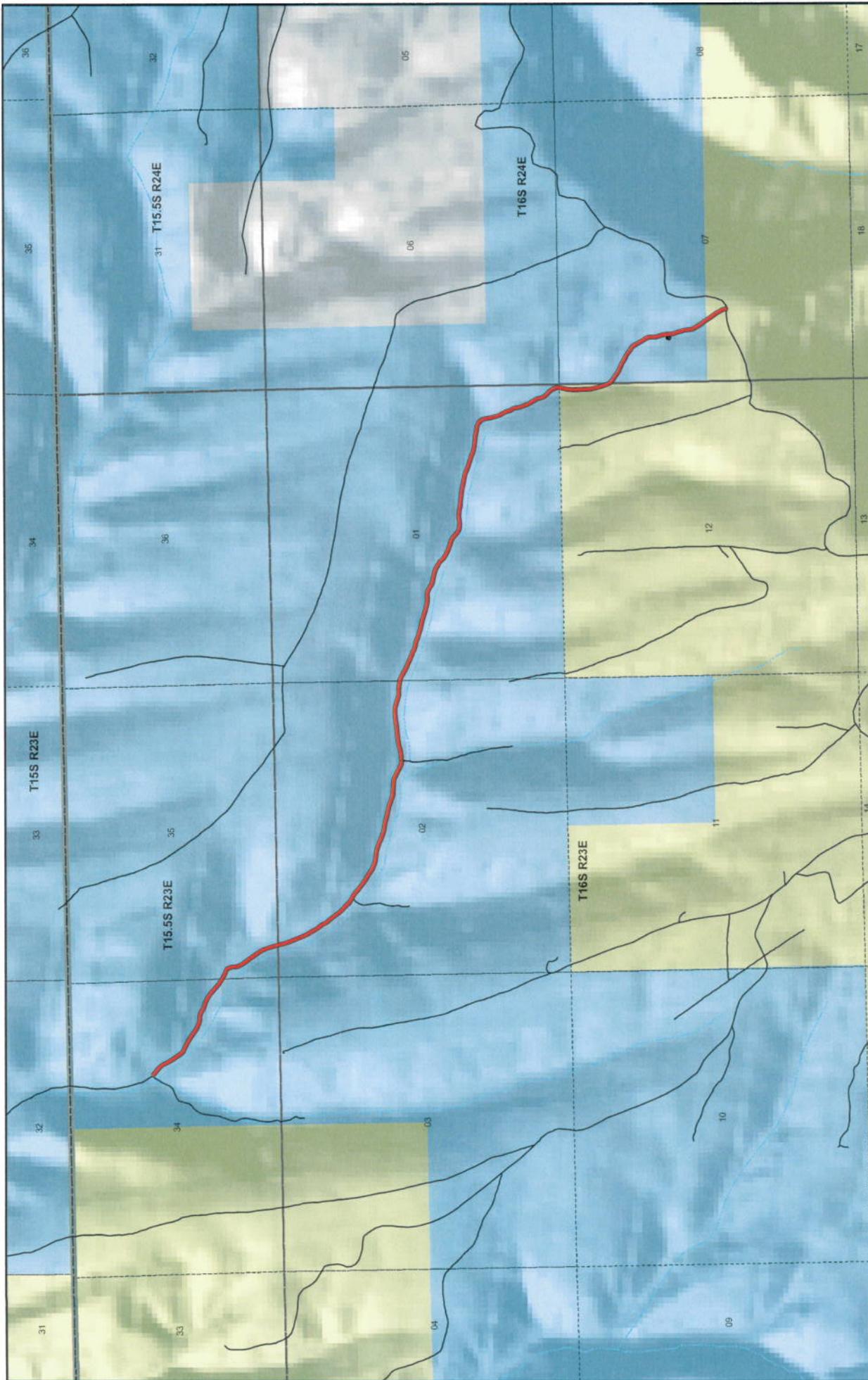
Dated this 2 day of August, 2007.

  
\_\_\_\_\_  
BLAINE D. STEVENS

SUBSCRIBED AND SWORN to before me this 2nd day of August, 2007.



  
\_\_\_\_\_  
NOTARY PUBLIC




Map prepared by the State of Utah  
 Reference Center  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Jul 13, 2007

### Horse Canyon - BC County Unique - 00389

**Land Ownership Categories**

- BLM
- State Sovereign Land
- SITLA, State Trust Land
- USFS, National Forest
- National Park (NPS)
- Private

**Misc**

- Wildlife Reserve
- Military
- Wilderness
- State Park
- Tribal Lands

**Transportation Network**

- Horse Canyon - BC
- State / U.S. Highway
- Local Roads

City / Town  
 Municipalities  
 Section = 1 Mile



## Appendix A to Attachment 4

**Popular Name: HORSE CANYON - BC ROAD**

**County: Grand**

**County Road Number: 00389**

**State Geographic Information Database (SGID) Road Identification Number: RD100219.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.17 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 16 South Range 23 East, Section(s) 12, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (HORSE CANYON - BC 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 39 degrees 26 minutes 15 seconds North Latitude and -109 degrees 19 minutes 12.43 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,256,011.8 feet and Y = 6,971,344.2 feet; thence the following courses along the said road center line:

thence South 07 Degrees 54 Minutes 18 Seconds West 63.9 feet  
thence South 11 Degrees 20 Minutes 26 Seconds West 87.1 feet  
thence South 05 Degrees 05 Minutes 13 Seconds West 89 feet  
thence South 00 Degrees 27 Minutes 14 Seconds East 90.2 feet  
thence South 04 Degrees 50 Minutes 35 Seconds East 93.8 feet  
thence South 03 Degrees 06 Minutes 24 Seconds East 88.7 feet  
thence South 07 Degrees 07 Minutes 09 Seconds East 71 feet  
thence South 13 Degrees 41 Minutes 31 Seconds East 82.6 feet  
thence South 12 Degrees 56 Minutes 33 Seconds East 89.1 feet  
thence South 17 Degrees 56 Minutes 56 Seconds East 86.1 feet  
thence South 29 Degrees 10 Minutes 48 Seconds East 57.4 feet more or less to **the ending**

**point at:** 39 degrees 26 minutes 06.29 seconds North Latitude and -109 degrees 19 minutes 11.65 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,256,094.3 feet and Y = 6,970,465.0 feet.

## Appendix B to Attachment 4

**Popular Name: HORSE CANYON - BC ROAD**

**County: Grand**

**County Road Number: 00389**

**State Geographic Information Database (SGID) Road Identification Number: RD100219.**

**Road-Segment Number: 004**

**Road-Segment Length: 0.08 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 16 South Range 24 East, Section(s) 7, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (HORSE CANYON - BC ROAD)-- Segment 004 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 39 degrees 25 minutes 48.96 seconds North Latitude and -109 degrees 18 minutes 57.68 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,257,233.1 feet and Y = 6,968,738.5 feet; thence the following courses along the said road center line:

thence South 37 Degrees 51 Minutes 36 Seconds East 45.5 feet  
thence South 32 Degrees 53 Minutes 17 Seconds East 52.6 feet  
thence South 34 Degrees 32 Minutes 41 Seconds East 45.6 feet  
thence South 33 Degrees 38 Minutes 51 Seconds East 29.4 feet  
thence South 40 Degrees 13 Minutes 04 Seconds East 40.6 feet  
thence South 32 Degrees 01 Minutes 50 Seconds East 32.8 feet  
thence South 27 Degrees 18 Minutes 13 Seconds East 53.4 feet  
thence South 27 Degrees 40 Minutes 44 Seconds East 53.6 feet  
thence South 23 Degrees 03 Minutes 15 Seconds East 30.2 feet  
thence South 13 Degrees 59 Minutes 45 Seconds East 32.1 feet  
thence South 03 Degrees 54 Minutes 20 Seconds East 13.1 feet more or less to **the ending**

**point at:** 39 degrees 25 minutes 45.27 seconds North Latitude and -109 degrees 18 minutes 55.09 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,257,445.2 feet and Y = 6,968,370.6 feet.