

Ent 390312 Page 1 of 13
Date: 07-MAY-2008 9:13AM
Fee: None
Filed By: DKS
DIXIE SWASEY, Recorder
EMERY COUNTY CORPORATION
For: GOVERNOR/STATE OF UTAH

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

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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Emery County as it pertains to the highway located in Emery County known as BIG WILD HORSE SPUR; County Road Number: 1017; State Geographic Information Database (SGID) Road Identification Number: RD080020. Total road length is 1.56 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 17th day of April, 2008.

By the Governor's Designee



John Harja

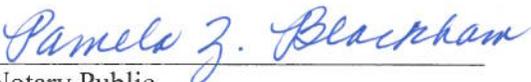
CERTIFICATION

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.

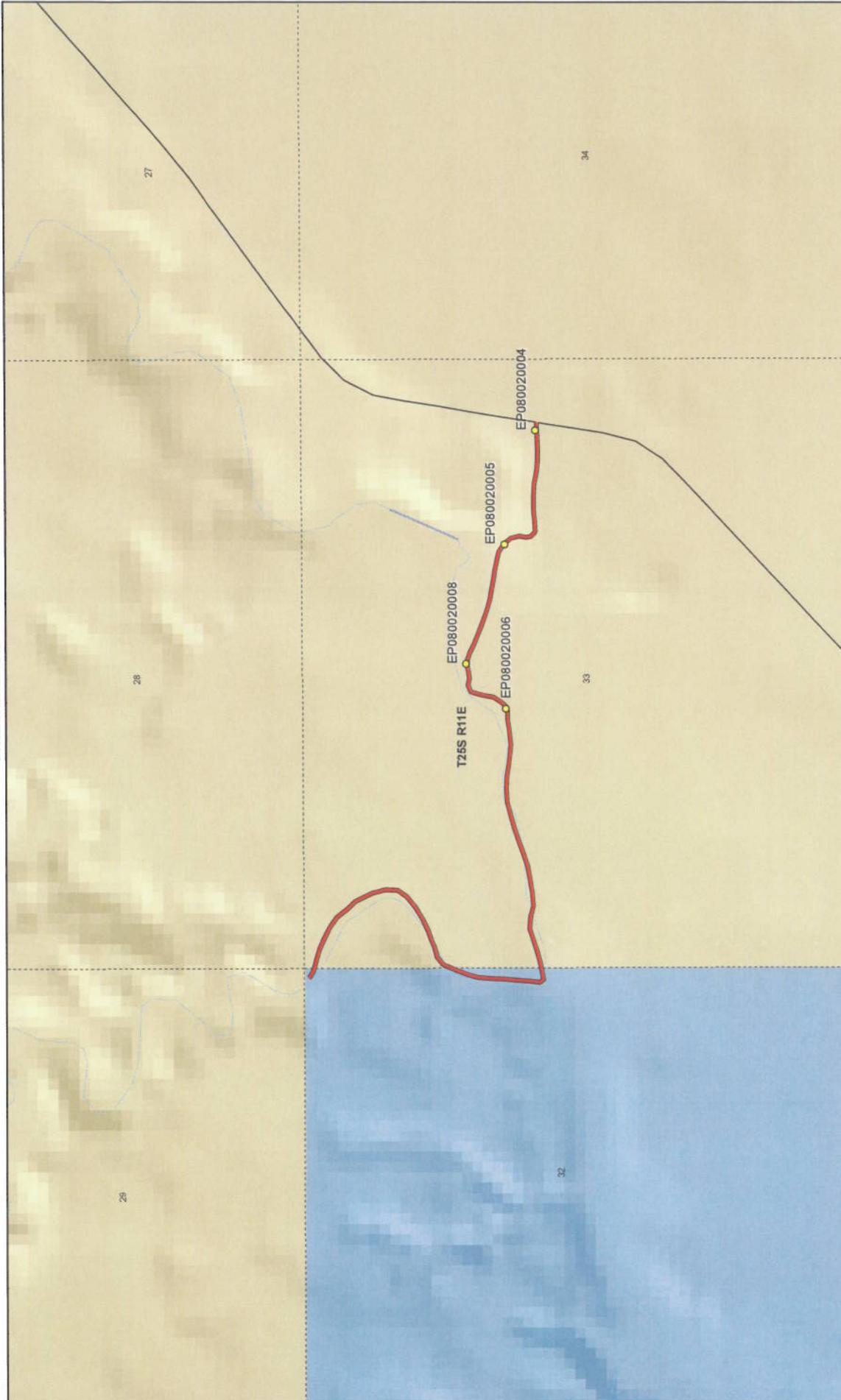
Dated this 17th day of April, 2008.





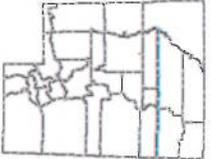
Notary Public

Attachment 1





1:13,880
1 inch equals 0.2 miles



BIG WILD HORSE SPUR - Emery County SGID RD_ID RD080020

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Jan 24, 2008



Land Ownership Categories

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

Transportation Network

- BIG WILD HORSE SPUR
- Other Roads
- Title V, Issued Or Under Consideration By BLM Or County
- Photo Event Point
- Section = 1 Mile

Wilderness

- ◆ UDWR Wildlife Reserve
- ◆ DOD, Military
- ◆ State Sovereign Land
- ◆ National Recreation Area
- ◆ USFWS, Natl. Wildlife Refuge

Attachment 2



EP080020004



EP080020005



EP080020006



EP080020008

EP000000000

EP000000000

BIG WILD HORSE SPUR - Emery County
SGID RD_ID RD080020

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
February 1, 2008



Attachment 3

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

Popular Name: BIG WILD HORSE SPUR

County: Emery

County Road Number: 1017

State Geographic Information Database (SGID) Road Identification Number: RD080020.

Total Road Length: 1.56 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 35 minutes 59.51 seconds North Latitude and -110 degrees 42 minutes 58.48 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,864,440.1 feet and Y = 6,659,733.4 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 35 minutes 039.7 seconds North Latitude and -110 degrees 41 minutes 057.8 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,869,276.3 feet and Y = 6,657,771.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 25 South Range 11 East, Section(s) 32,33, 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: BIG WILD HORSE SPUR

County: Emery

County Road Number: 1017

State Geographic Information Database (SGID) Road Identification Number: RD080020.

Total Road Length: 1.56 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
RD080020	001	ST	0.02 Miles	(not shown)
RD080020	002	BLM	0.37 Miles	A
RD080020	003	ST	0.18 Miles	(not shown)
RD080020	004	BLM	1 Miles	B
		Total Road Length	1.56	—————

* 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 TED EKKER
BIG WILD HORSE SPUR ROAD
EMERY COUNTY, UTAH
ROAD NUMBER 1017

State of Utah)
 : ss.
County of Emery)

TED EKKER, 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 Green River, Emery County, Utah. I have lived in Emery County for the past 53 years.

2. I have traveled and am familiar with a road in Emery County known as Big Wild Horse Spur 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 2002 when I last observed it. Attached is a Emery County map showing the Big Wild Horse Spur 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 1940s and continuing through 1976 to 2002. Throughout this time period I have observed travel on the road by various means, including cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily, for more than ten continuous years prior to 1976, and is presently used daily.

5. Throughout the time period from the late 1940s to 2002, I have used the road myself for the following uses: recreation and sight seeing.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph.

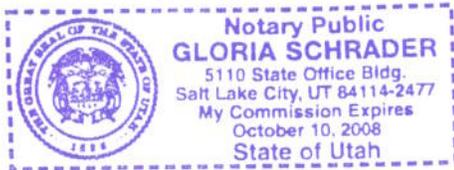
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 8 day of March, 2007.

Ted Ekker
TED EKKER

SUBSCRIBED AND SWORN to before me this 8th day of March, 2007.



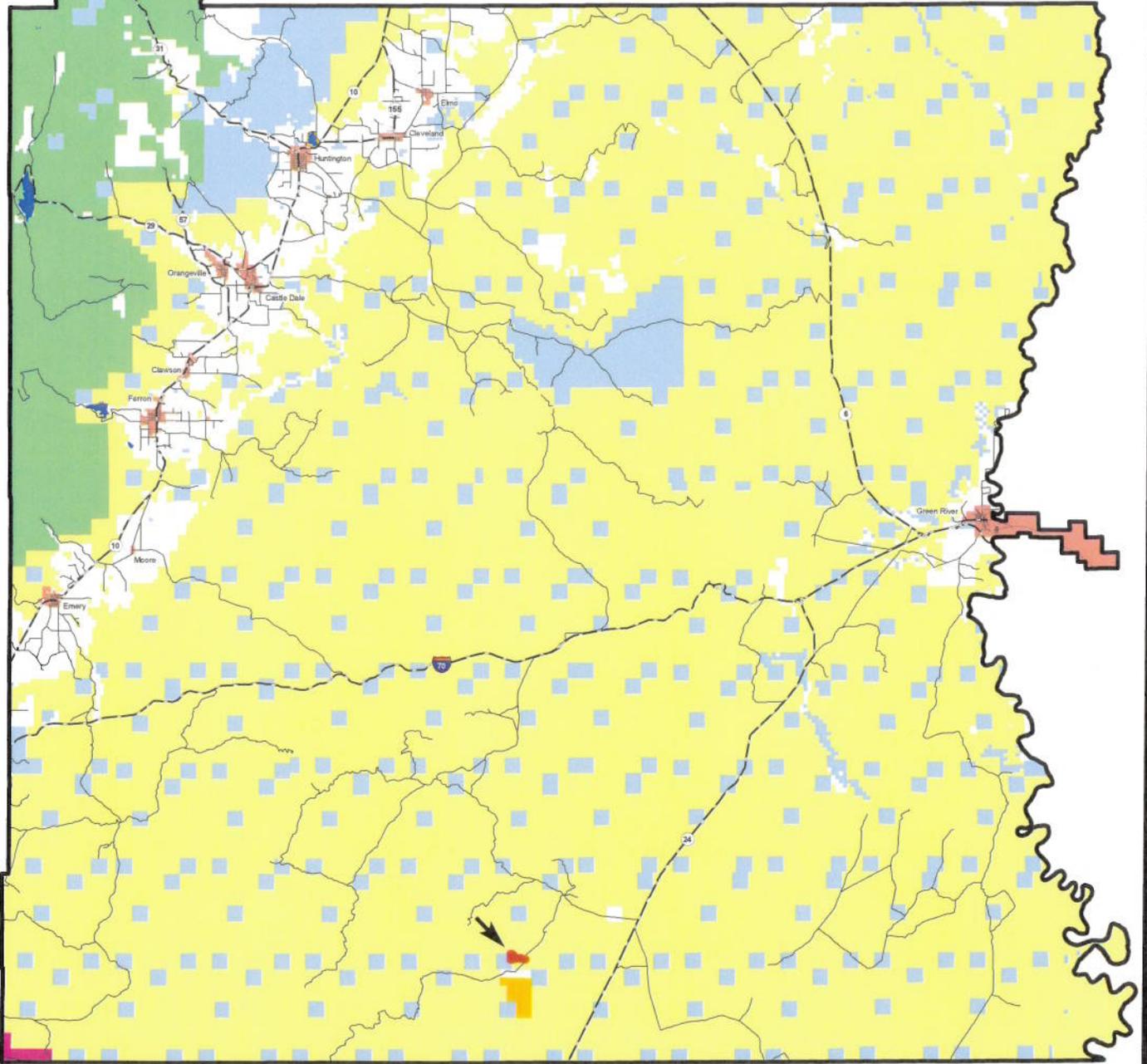
Gloria Schrader
NOTARY PUBLIC

Road #1017 Big Wild Horse Spur

 Big Wild Horse Spur
 Highway/Interstate
 B Class Road



 BLM	 State	 NPS	 Water
 USFS	 Private	 USP	 City Boundary



AFFIDAVIT OF VERNON LEAMASTER

BIG WILD HORSE SPUR ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 1017

State of Utah)
 : ss.
County of Emery)

VERNON LEAMASTER, 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 Huntington, Emery County, Utah. I have lived in Emery County for most of my life. I worked for the Emery County Road Department from May of 1965 until May of 1982.

2. I have traveled and am familiar with a road in Emery County known as Big Wild Horse Spur Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1965 it followed the same route as in 1982 when I last observed it. Attached is a Emery County map showing the Big Wild Horse Spur 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 1965 and continuing through 1976 to 1982. Throughout this time period I have observed travel on the road by various means, including cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily, for more than ten continuous years prior to 1976, and is presently used daily.

5. Throughout the time period from the early 1965 to 1982, I have used the road myself for county road maintenance and traveling in and through the area.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: mining, tourism, hunting, recreation and livestock operations.

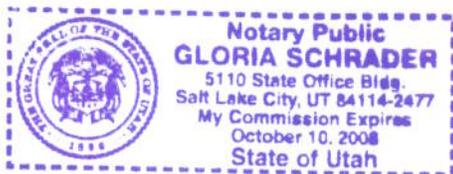
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally supervised the maintenance and construction activities on the road.

DATED this 6 day of March, 2007.

Vernon Leamaster
VERNON LEAMASTER

SUBSCRIBED AND SWORN to before me this 6th day of March, 2007.



Gloria Schrader
NOTARY PUBLIC

Road #1017 Big Wild Horse Spur

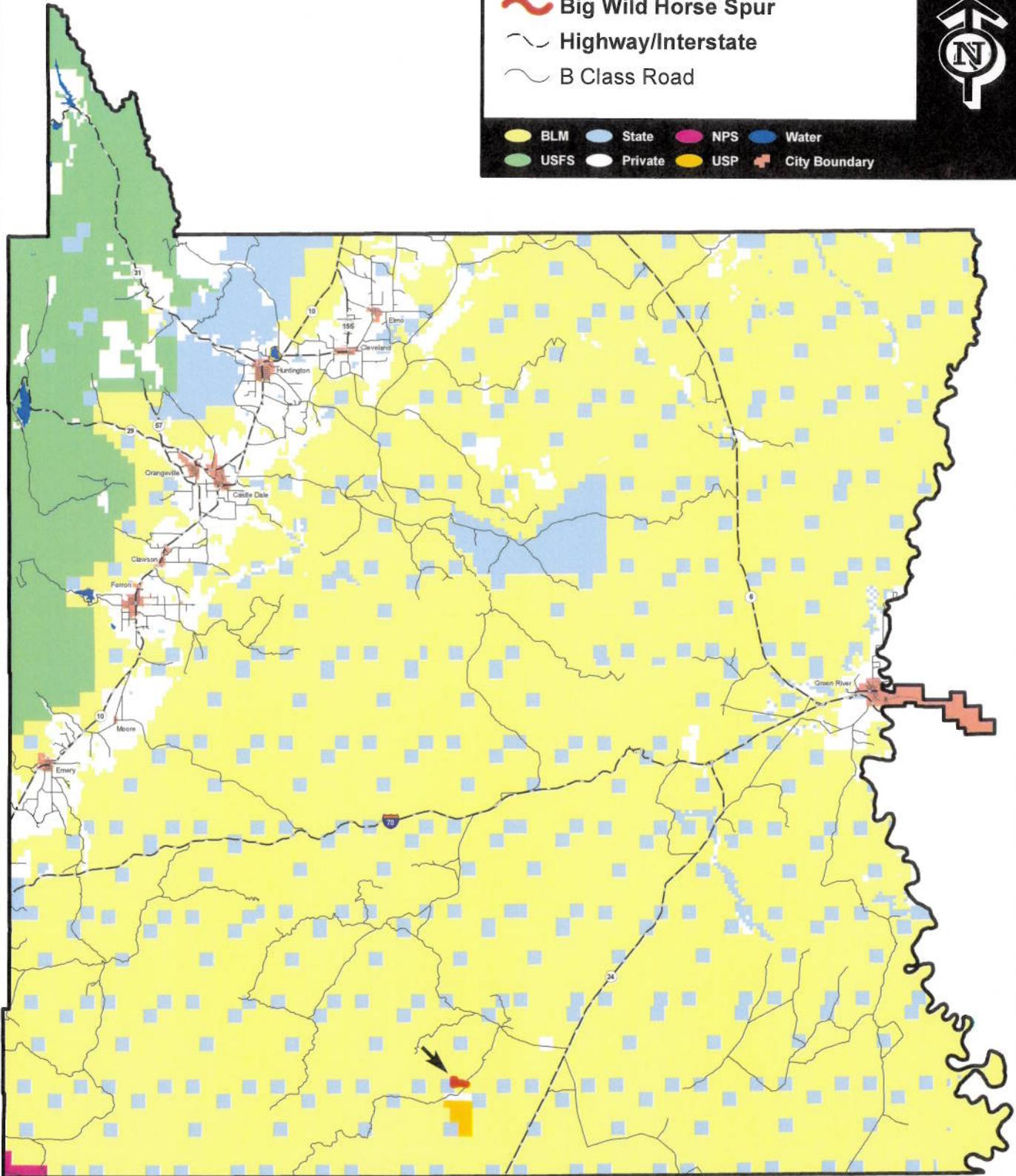
 Big Wild Horse Spur

 Highway/Interstate

 B Class Road

 BLM  State  NPS  Water

 USFS  Private  USP  City Boundary



Appendix A to Attachment 4

Popular Name: BIG WILD HORSE SPUR

County: Emery

County Road Number: 1017

State Geographic Information Database (SGID) Road Identification Number: RD080020.

Road-Segment Number: 002

Road-Segment Length: 0.37 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 25 South Range 11 East, Section(s) 33, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (BIG WILD HORSE SPUR)-- 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 38 degrees 35 minutes 59.08 seconds North Latitude and -110 degrees 42 minutes 57.44 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,864,523.1 feet and Y = 6,659,691.2 feet; thence the following courses along the said road center line:

thence South 73 Degrees 09 Minutes 59 Seconds East 74.5 feet
thence South 74 Degrees 54 Minutes 32 Seconds East 102.5 feet
thence South 65 Degrees 49 Minutes 44 Seconds East 89.5 feet
thence South 65 Degrees 52 Minutes 51 Seconds East 107.1 feet
thence South 53 Degrees 39 Minutes 02 Seconds East 115.4 feet
thence South 38 Degrees 30 Minutes 38 Seconds East 111.5 feet
thence South 44 Degrees 55 Minutes 41 Seconds East 100.5 feet
thence South 28 Degrees 56 Minutes 07 Seconds East 78.1 feet
thence South 23 Degrees 18 Minutes 07 Seconds East 89.1 feet
thence South 16 Degrees 07 Minutes 50 Seconds East 110.9 feet
thence South 02 Degrees 21 Minutes 31 Seconds West 105.2 feet

thence South 35 Degrees 31 Minutes 16 Seconds West 99.2 feet
thence South 50 Degrees 03 Minutes 20 Seconds West 116.3 feet
thence South 59 Degrees 31 Minutes 45 Seconds West 122.2 feet
thence South 64 Degrees 17 Minutes 49 Seconds West 113.4 feet
thence South 71 Degrees 01 Minutes 11 Seconds West 81.1 feet
thence South 67 Degrees 08 Minutes 11 Seconds West 71.1 feet
thence South 72 Degrees 39 Minutes 15 Seconds West 84.1 feet
thence South 52 Degrees 29 Minutes 46 Seconds West 85.3 feet
thence South 22 Degrees 33 Minutes 36 Seconds West 70.9 feet more or less to **the ending**

point at: 38 degrees 35 minutes 47.42 seconds North Latitude and -110 degrees 42 minutes 57.44 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,864,534.0 feet and Y = 6,658,510.9 feet.

Appendix B to Attachment 4

Popular Name: BIG WILD HORSE SPUR

County: Emery

County Road Number: 1017

State Geographic Information Database (SGID) Road Identification Number: RD080020.

Road-Segment Number: 004

Road-Segment Length: 1 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 25 South Range 11 East, Section(s) 33, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (BIG WILD HORSE SPUR)-- 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 38 degrees 35 minutes 39.52 seconds North Latitude and -110 degrees 42 minutes 57.43 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,864,541.5 feet and Y = 6,657,711.6 feet; thence the following courses along the said road center line:

thence North 78 Degrees 51 Minutes 06 Seconds East	45.5 feet
thence North 74 Degrees 46 Minutes 46 Seconds East	100.9 feet
thence North 69 Degrees 26 Minutes 27 Seconds East	102.5 feet
thence North 72 Degrees 13 Minutes 57 Seconds East	101.8 feet
thence South 85 Degrees 04 Minutes 59 Seconds East	107.8 feet
thence South 77 Degrees 50 Minutes 22 Seconds East	94.1 feet
thence North 85 Degrees 18 Minutes 03 Seconds East	116.2 feet
thence North 81 Degrees 12 Minutes 01 Seconds East	115.8 feet
thence North 79 Degrees 25 Minutes 31 Seconds East	121.8 feet
thence North 71 Degrees 38 Minutes 01 Seconds East	120.8 feet
thence North 68 Degrees 34 Minutes 22 Seconds East	104.9 feet

thence North 69 Degrees 11 Minutes 54 Seconds East 110.7 feet
 thence North 72 Degrees 49 Minutes 16 Seconds East 116.6 feet
 thence North 75 Degrees 54 Minutes 17 Seconds East 120 feet
 thence North 83 Degrees 05 Minutes 57 Seconds East 114.7 feet
 thence South 85 Degrees 55 Minutes 35 Seconds East 115.6 feet
 thence South 81 Degrees 39 Minutes 27 Seconds East 108.9 feet
 thence South 83 Degrees 21 Minutes 24 Seconds East 89.3 feet
 thence South 86 Degrees 00 Minutes 15 Seconds East 74.1 feet
 thence North 85 Degrees 22 Minutes 23 Seconds East 74.4 feet
 thence North 84 Degrees 28 Minutes 49 Seconds East 65.3 feet
 thence North 79 Degrees 52 Minutes 07 Seconds East 80.9 feet
 thence South 89 Degrees 06 Minutes 22 Seconds East 77.2 feet
 thence North 59 Degrees 30 Minutes 27 Seconds East 60.7 feet
 thence North 46 Degrees 13 Minutes 22 Seconds East 8.6 feet
 thence North 41 Degrees 18 Minutes 30 Seconds East 35.6 feet
 thence North 30 Degrees 53 Minutes 59 Seconds East 74.1 feet
 thence North 11 Degrees 57 Minutes 38 Seconds East 75.6 feet
 thence North 12 Degrees 06 Minutes 36 Seconds East 65.5 feet
 thence North 13 Degrees 33 Minutes 46 Seconds East 61.5 feet
 thence North 63 Degrees 30 Minutes 30 Seconds East 63.3 feet
 thence South 80 Degrees 13 Minutes 54 Seconds East 63.7 feet
 thence North 81 Degrees 46 Minutes 03 Seconds East 59.7 feet
 thence North 75 Degrees 18 Minutes 55 Seconds East 42.4 feet
 thence North 88 Degrees 40 Minutes 31 Seconds East 56.5 feet
 thence South 69 Degrees 39 Minutes 02 Seconds East 74.4 feet
 thence South 64 Degrees 33 Minutes 46 Seconds East 83.8 feet
 thence South 65 Degrees 33 Minutes 00 Seconds East 103.4 feet
 thence South 70 Degrees 42 Minutes 26 Seconds East 105.6 feet
 thence South 70 Degrees 53 Minutes 41 Seconds East 107.6 feet
 thence South 72 Degrees 59 Minutes 39 Seconds East 97 feet
 thence South 79 Degrees 35 Minutes 38 Seconds East 82.9 feet
 thence South 81 Degrees 30 Minutes 01 Seconds East 72.7 feet
 thence South 80 Degrees 46 Minutes 01 Seconds East 96.9 feet
 thence South 80 Degrees 13 Minutes 50 Seconds East 88 feet
 thence South 75 Degrees 59 Minutes 32 Seconds East 76.9 feet
 thence South 56 Degrees 53 Minutes 07 Seconds East 83.4 feet
 thence South 37 Degrees 11 Minutes 42 Seconds East 78.8 feet
 thence South 14 Degrees 39 Minutes 48 Seconds East 75.6 feet
 thence South 07 Degrees 02 Minutes 54 Seconds West 56.3 feet
 thence South 01 Degrees 45 Minutes 26 Seconds East 39.4 feet
 thence South 47 Degrees 44 Minutes 18 Seconds East 60.6 feet
 thence North 87 Degrees 56 Minutes 20 Seconds East 86.7 feet
 thence North 84 Degrees 40 Minutes 51 Seconds East 101.8 feet
 thence North 88 Degrees 52 Minutes 52 Seconds East 118.5 feet
 thence South 87 Degrees 48 Minutes 50 Seconds East 112.4 feet
 thence South 77 Degrees 11 Minutes 28 Seconds East 111.2 feet
 thence South 86 Degrees 21 Minutes 59 Seconds East 95.1 feet
 thence South 88 Degrees 18 Minutes 45 Seconds East 102.8 feet
 thence North 86 Degrees 51 Minutes 53 Seconds East 107.1 feet

thence North 86 Degrees 02 Minutes 16 Seconds East 77.6 feet
thence North 87 Degrees 04 Minutes 19 Seconds East 36.1 feet
thence North 83 Degrees 57 Minutes 50 Seconds East 6.6 feet more or less to **the ending point**
at: 38 degrees 35 minutes 039.7 seconds North Latitude and -110 degrees 41 minutes 057.8 seconds West
Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet
coordinates of X = 1,869,276.3 feet and Y = 6,657,771.6 feet.