

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 SAND ROAD; County Road Number: 1049; State Geographic Information Database (SGID) Road Identification Number: RD080047. Total road length is 3.58 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

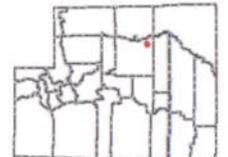
Attachment 1



**SAND ROAD - Emery County
SGID RD_ID RD080047**



1:27,082
1 inch equals 0.4 miles



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

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

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Jan 25, 2008



Attachment 2



EP080047002



EP080047003



EP080047004



EP080047005

EP000000000

EP000000000

SAND ROAD - Emery County
SGID RD_ID RD080047

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: SAND ROAD

County: Emery

County Road Number: 1049

State Geographic Information Database (SGID) Road Identification Number: RD080047.

Total Road Length: 3.58 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 39 minutes 018.8 seconds North Latitude and -110 degrees 19 minutes 46.13 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,974,721.3 feet and Y = 6,681,103.1 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 40 minutes 46.27 seconds North Latitude and -110 degrees 16 minutes 15.46 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,991,312.2 feet and Y = 6,690,176.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 24 South Range 15 East, Section(s) 33, Salt Lake Base & Meridian

Township 25 South Range 14 East, Section(s) 1,11,12, Salt Lake Base & Meridian

Township 25 South Range 15 East, Section(s) 5,6, 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: SAND ROAD

County: Emery

County Road Number: 1049

State Geographic Information Database (SGID) Road Identification Number: RD080047.

Total Road Length: 3.58 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
RD080047	001	BLM	3.58 Miles	A
		Total Road Length	3.58	_____

* 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 CHERYL KEENER

SAND ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 1049

State of Utah)
 : ss.
County of Emery)

CHERYL KEENER, 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 most of my life.

2. I have traveled and am familiar with a road in Emery County known as Sand Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1950s it followed the same route as in 2002 when I last observed it. Attached is a Emery County map showing the Sand 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 1950s 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 weekly, for more than ten continuous years prior to 1976, and is presently used weekly.

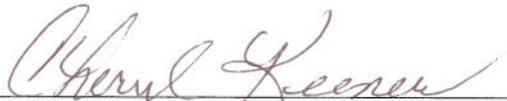
5. Throughout the time period from the late 1950s to 2002, I have used the road myself for the following uses: livestock operations and prospecting for minerals.

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 prospecting for minerals, rock hounding 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.

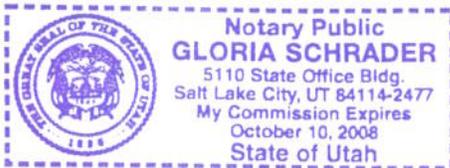
8. Prior to 1976, I personally observed the graded surface of the road.

DATED this 8th day of March, 2007.



CHERYL KEENER

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





NOTARY PUBLIC

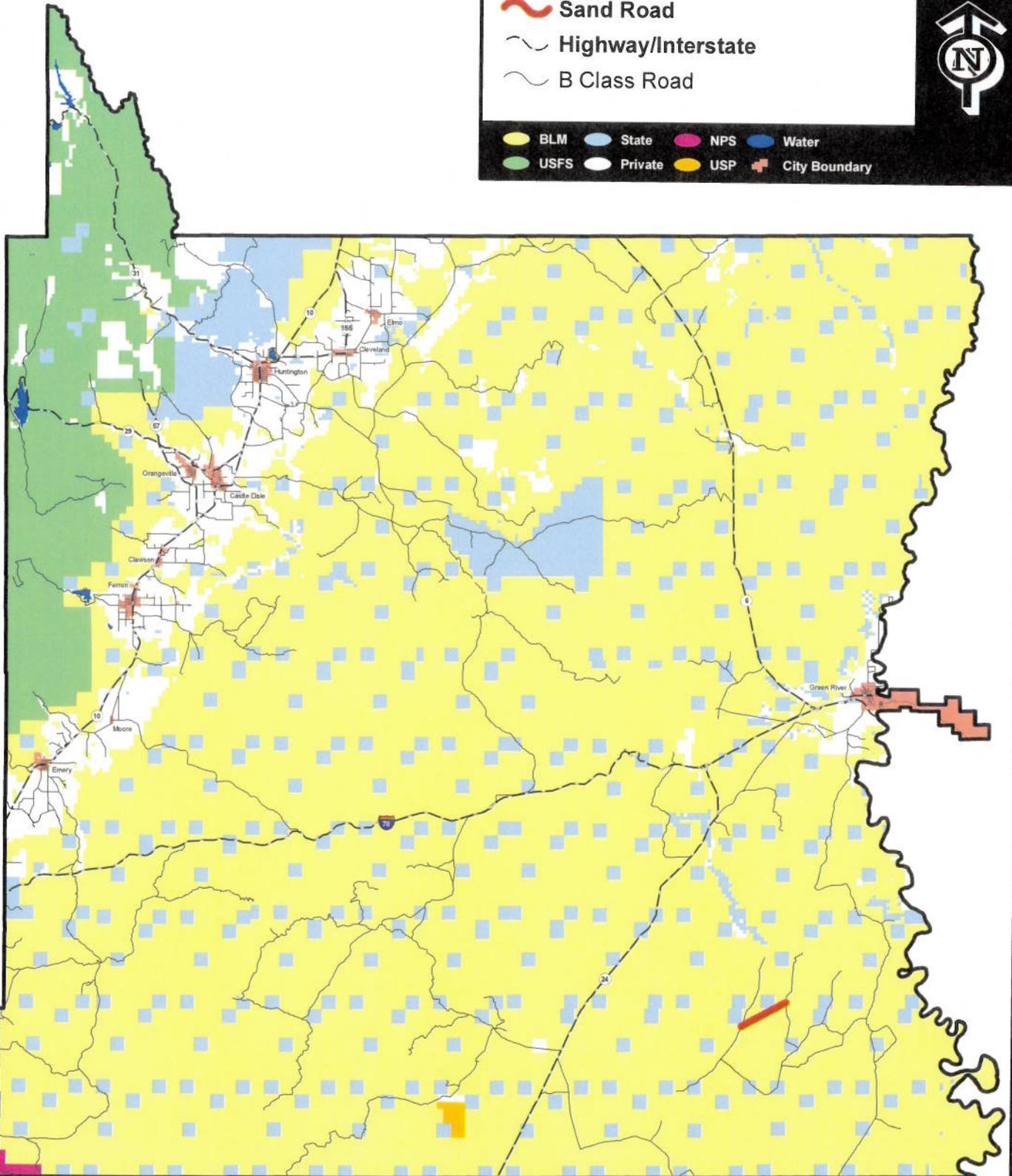
Road #1049

Sand Road

-  Sand Road
-  Highway/Interstate
-  B Class Road



-  BLM
-  State
-  NPS
-  Water
-  USFS
-  Private
-  USP
-  City Boundary



AFFIDAVIT OF TED EKKER

SAND ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 1049

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 Sand Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1950s it followed the same route as in 2006 when I last observed it. Attached is a Emery County map showing the Sand 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 1950s and continuing through 1976 to 2006. 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 weekly, for more than ten continuous years prior to 1976, and is presently used weekly.

5. Throughout the time period from the late 1950s to 2006, I have used the road myself for the following uses: hunting, rock hounding, 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, plus gas and oil exploration.

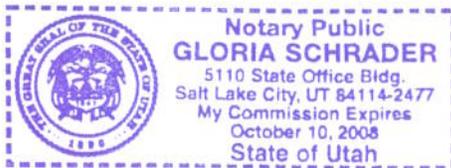
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the mid 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

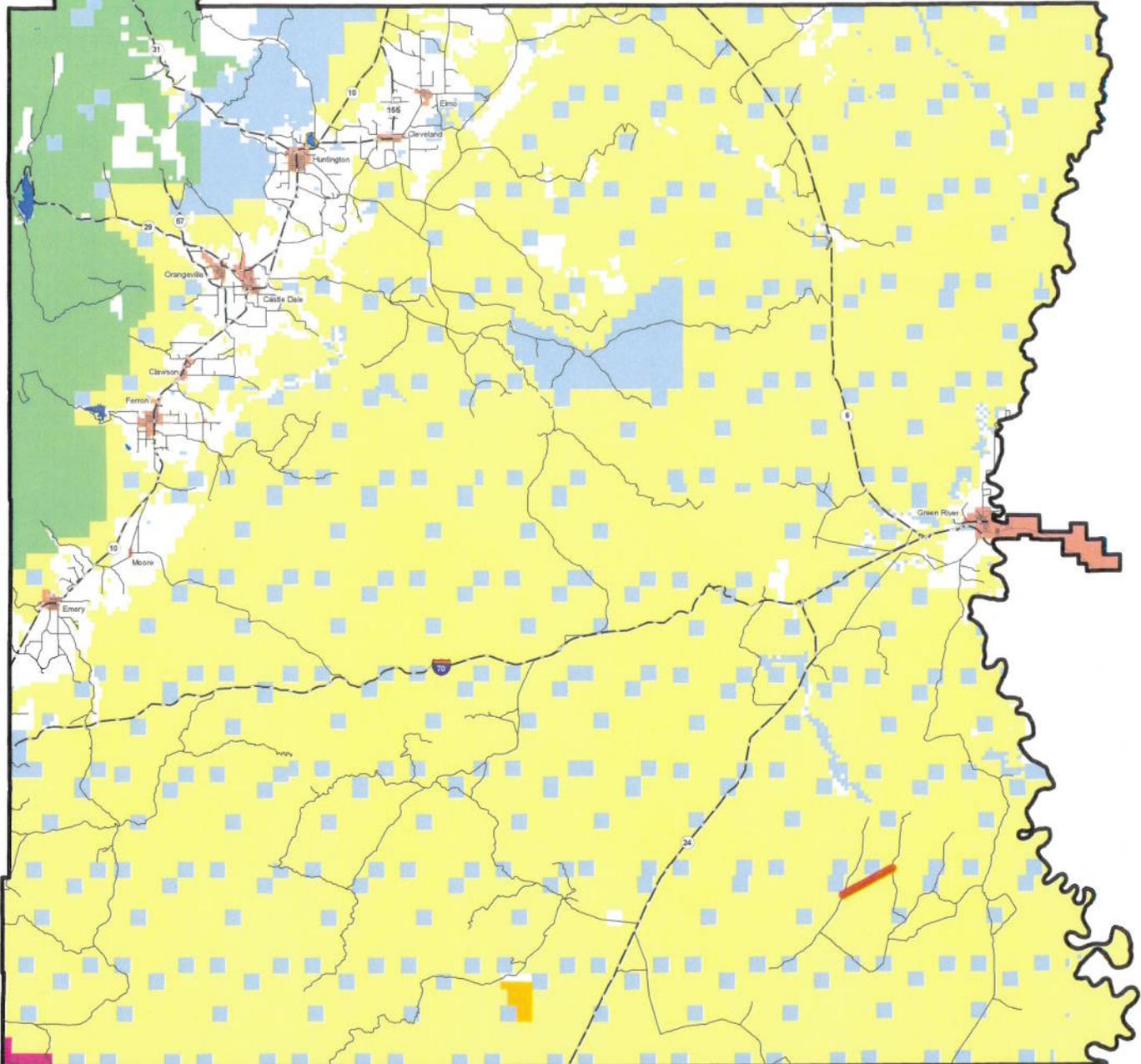
Road #1049

Sand Road

-  Sand Road
-  Highway/Interstate
-  B Class Road



-  BLM
-  State
-  NPS
-  Water
-  USFS
-  Private
-  USP
-  City Boundary



Appendix A to Attachment 4

Popular Name: SAND ROAD

County: Emery

County Road Number: 1049

State Geographic Information Database (SGID) Road Identification Number: RD080047.

Road-Segment Number: 001

Road-Segment Length: 3.58 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 24 South Range 15 East, Section(s) 33, Salt Lake Base & Meridian

Township 25 South Range 14 East, Section(s) 1,11,12, Salt Lake Base & Meridian

Township 25 South Range 15 East, Section(s) 5,6, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (SAND 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 39 minutes 018.8 seconds North Latitude and -110 degrees 19 minutes 46.13 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,974,721.3 feet and Y = 6,681,103.1 feet; thence the following courses along the said road center line:

thence North 55 Degrees 58 Minutes 44 Seconds East 3.6 feet
thence North 50 Degrees 11 Minutes 47 Seconds East 21.7 feet
thence North 56 Degrees 06 Minutes 58 Seconds East 76 feet
thence North 60 Degrees 30 Minutes 15 Seconds East 132.7 feet
thence North 61 Degrees 05 Minutes 43 Seconds East 163.3 feet
thence North 60 Degrees 50 Minutes 42 Seconds East 63.3 feet
thence North 60 Degrees 45 Minutes 12 Seconds East 118.1 feet
thence North 60 Degrees 57 Minutes 39 Seconds East 200.2 feet
thence North 60 Degrees 51 Minutes 16 Seconds East 220.7 feet
thence North 61 Degrees 28 Minutes 02 Seconds East 231.3 feet

thence North 60 Degrees 43 Minutes 47 Seconds East 237.4 feet
 thence North 60 Degrees 55 Minutes 52 Seconds East 247.8 feet
 thence North 60 Degrees 42 Minutes 08 Seconds East 248.7 feet
 thence North 60 Degrees 55 Minutes 09 Seconds East 53.9 feet
 thence North 60 Degrees 55 Minutes 44 Seconds East 197.3 feet
 thence North 61 Degrees 34 Minutes 12 Seconds East 252.3 feet
 thence North 61 Degrees 15 Minutes 59 Seconds East 238.1 feet
 thence North 61 Degrees 02 Minutes 24 Seconds East 244.6 feet
 thence North 60 Degrees 49 Minutes 47 Seconds East 262.7 feet
 thence North 61 Degrees 01 Minutes 10 Seconds East 270.4 feet
 thence North 61 Degrees 11 Minutes 44 Seconds East 273.3 feet
 thence North 61 Degrees 50 Minutes 35 Seconds East 286.9 feet
 thence North 61 Degrees 54 Minutes 58 Seconds East 297.5 feet
 thence North 61 Degrees 42 Minutes 23 Seconds East 301 feet
 thence North 61 Degrees 24 Minutes 19 Seconds East 307.1 feet
 thence North 61 Degrees 05 Minutes 16 Seconds East 304.6 feet
 thence North 61 Degrees 17 Minutes 27 Seconds East 297 feet
 thence North 61 Degrees 12 Minutes 42 Seconds East 293.4 feet
 thence North 61 Degrees 10 Minutes 23 Seconds East 274.5 feet
 thence North 61 Degrees 19 Minutes 03 Seconds East 277.9 feet
 thence North 61 Degrees 20 Minutes 04 Seconds East 38 feet
 thence North 61 Degrees 35 Minutes 46 Seconds East 239.9 feet
 thence North 61 Degrees 27 Minutes 15 Seconds East 280.5 feet
 thence North 61 Degrees 01 Minutes 38 Seconds East 291.7 feet
 thence North 61 Degrees 23 Minutes 51 Seconds East 300.8 feet
 thence North 61 Degrees 38 Minutes 45 Seconds East 288.5 feet
 thence North 61 Degrees 41 Minutes 48 Seconds East 275 feet
 thence North 60 Degrees 42 Minutes 45 Seconds East 278 feet
 thence North 61 Degrees 02 Minutes 12 Seconds East 280.8 feet
 thence North 61 Degrees 42 Minutes 51 Seconds East 290.6 feet
 thence North 61 Degrees 33 Minutes 46 Seconds East 300.3 feet
 thence North 61 Degrees 37 Minutes 42 Seconds East 307.9 feet
 thence North 61 Degrees 33 Minutes 35 Seconds East 305.1 feet
 thence North 61 Degrees 53 Minutes 11 Seconds East 297.2 feet
 thence North 61 Degrees 00 Minutes 10 Seconds East 244.3 feet
 thence North 61 Degrees 28 Minutes 33 Seconds East 211.9 feet
 thence North 61 Degrees 38 Minutes 30 Seconds East 241.7 feet
 thence North 61 Degrees 40 Minutes 52 Seconds East 260.2 feet
 thence North 61 Degrees 16 Minutes 07 Seconds East 256.7 feet
 thence North 61 Degrees 35 Minutes 14 Seconds East 249.6 feet
 thence North 60 Degrees 42 Minutes 15 Seconds East 263 feet
 thence North 61 Degrees 23 Minutes 49 Seconds East 261.3 feet
 thence North 61 Degrees 07 Minutes 27 Seconds East 204 feet
 thence North 61 Degrees 10 Minutes 22 Seconds East 52.3 feet
 thence North 61 Degrees 47 Minutes 47 Seconds East 270.3 feet
 thence North 61 Degrees 20 Minutes 13 Seconds East 290.5 feet
 thence North 61 Degrees 33 Minutes 57 Seconds East 295.4 feet
 thence North 61 Degrees 40 Minutes 04 Seconds East 246.1 feet
 thence North 61 Degrees 29 Minutes 49 Seconds East 167.6 feet

thence North 62 Degrees 08 Minutes 20 Seconds East 218 feet
 thence North 62 Degrees 23 Minutes 15 Seconds East 258.5 feet
 thence North 60 Degrees 51 Minutes 27 Seconds East 52.4 feet
 thence North 61 Degrees 17 Minutes 51 Seconds East 181.7 feet
 thence North 60 Degrees 48 Minutes 51 Seconds East 227.9 feet
 thence North 61 Degrees 26 Minutes 57 Seconds East 233.9 feet
 thence North 61 Degrees 35 Minutes 45 Seconds East 251.1 feet
 thence North 61 Degrees 58 Minutes 50 Seconds East 247.2 feet
 thence North 61 Degrees 39 Minutes 04 Seconds East 260.6 feet
 thence North 61 Degrees 51 Minutes 14 Seconds East 282.8 feet
 thence North 61 Degrees 42 Minutes 58 Seconds East 303.2 feet
 thence North 61 Degrees 54 Minutes 56 Seconds East 297.5 feet
 thence North 61 Degrees 42 Minutes 14 Seconds East 276.5 feet
 thence North 60 Degrees 51 Minutes 38 Seconds East 258.8 feet
 thence North 61 Degrees 18 Minutes 07 Seconds East 252.2 feet
 thence North 60 Degrees 48 Minutes 55 Seconds East 253.7 feet
 thence North 62 Degrees 23 Minutes 58 Seconds East 262.9 feet
 thence North 61 Degrees 26 Minutes 46 Seconds East 258.9 feet
 thence North 61 Degrees 00 Minutes 18 Seconds East 256.6 feet
 thence North 61 Degrees 25 Minutes 56 Seconds East 216.5 feet
 thence North 61 Degrees 17 Minutes 40 Seconds East 209.3 feet
 thence North 60 Degrees 53 Minutes 11 Seconds East 113.8 feet
 thence North 53 Degrees 00 Minutes 09 Seconds East 36.8 feet

thence North 54 Degrees 07 Minutes 50 Seconds East 14.1 feet more or less to **the ending point at:** 38 degrees 40 minutes 46.27 seconds North Latitude and -110 degrees 16 minutes 15.46 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,991,312.2 feet and Y = 6,690,176.4 feet.