

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

Ent 251343 Bk 429 Pg 502
Date: 09-MAY-2008 1:35PM
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 BURNT SRPING ROAD; County Road Number: 0040; State Geographic Information Database (SGID) Road Identification Number: RD090016. Total road length is 1.07 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

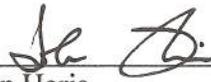
Internet at <http://recorded2477roads.utah.gov>.

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

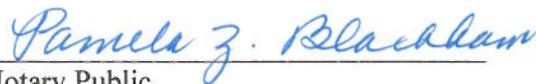
CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

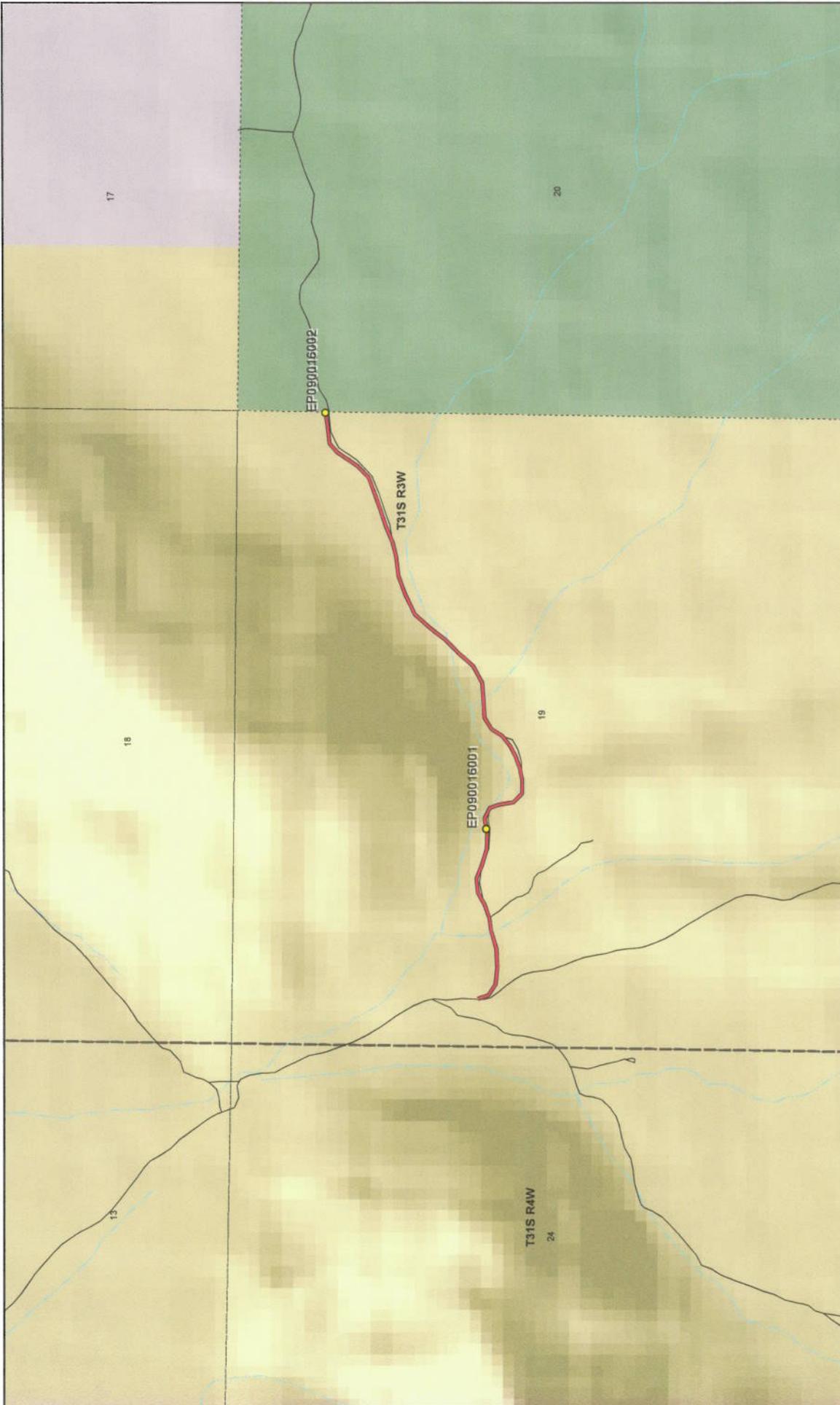
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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





1:12,990
1 inch equals 0.2 miles



BURNT SRPING ROAD - Garfield County

SGID RD_ID RD090016

Land Ownership Categories

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

Transportation Network

- BURNT SRPING ROAD
- Other Roads
- Title V, Issued Or Under Consideration By BLM Or County
- Photo Event Point

Wilderness

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

Section = 1 Mile

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Mar 19, 2008






EP090016001



EP090016002

EP000000000

EP000000000

EP000000000

EP000000000

BURNT SRPING ROAD - Garfield County
SGID RD_ID RD090016

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: BURNT SRPING ROAD

County: Garfield

County Road Number: 0040

State Geographic Information Database (SGID) Road Identification Number: RD090016.

Total Road Length: 1.07 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 06 minutes 14.16 seconds North Latitude and -112 degrees 14 minutes 46.17 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,425,714.3 feet and Y = 10,366,698.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 06 minutes 26.73 seconds North Latitude and -112 degrees 13 minutes 46.77 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,430,471.5 feet and Y = 10,367,932.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 31 South Range 3 West, Section(s) 19,20, 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: BURNT SRPING ROAD

County: Garfield

County Road Number: 0040

State Geographic Information Database (SGID) Road Identification Number: RD090016.

Total Road Length: 1.07 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
RD090016	001	BLM	1.06 Miles	A
RD090016	002	FS	0 Miles	†(pending)
		Total Road Length	1.07	_____

* 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 RUSSELL BULKLEY

BURNT SPRING ROAD

GARFIELD COUNTY, UTAH

ROAD NUMBER 0040

State of Utah)
 : ss.
County of Garfield)

RUSSELL BULKLEY, 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 Panguitch, Garfield County, Utah. I have lived in Garfield County since 1959. In 1971 and 1972 I worked for the Utah Department of Transportation on roads and from 1973 to 1975 I worked for the Utah Division of Wildlife Resources.

2. I have traveled and am familiar with a road in Garfield County known as Burnt Spring Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s it followed the same route as in 2005 when I last observed it. Attached is a Garfield County map showing Burnt Spring 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 1960s and continuing through 2005. Throughout this time period I observed travel on the road by means of cars, trucks, pickup trucks and ATVs. During this time period, the road was used weekly, weather permitting, for more than ten continuous years prior to 1976 and was so used in 2005.

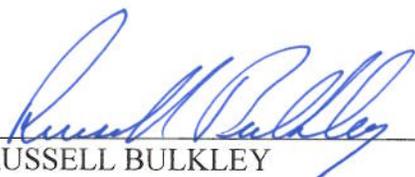
5. Throughout the time period from the early 1960s to 2005, I used the road myself for hunting, sightseeing and travel in and through the area.

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 and recreation.

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.

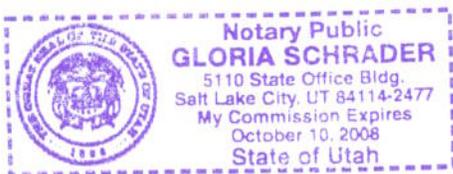
8. Prior to 1976, I observed the graded surface of the road and other evidence of maintenance and construction activities such as berms along the side of the road.

DATED this 12 day of July, 2007.



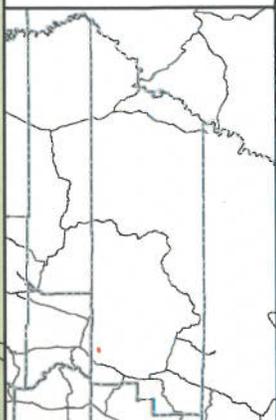
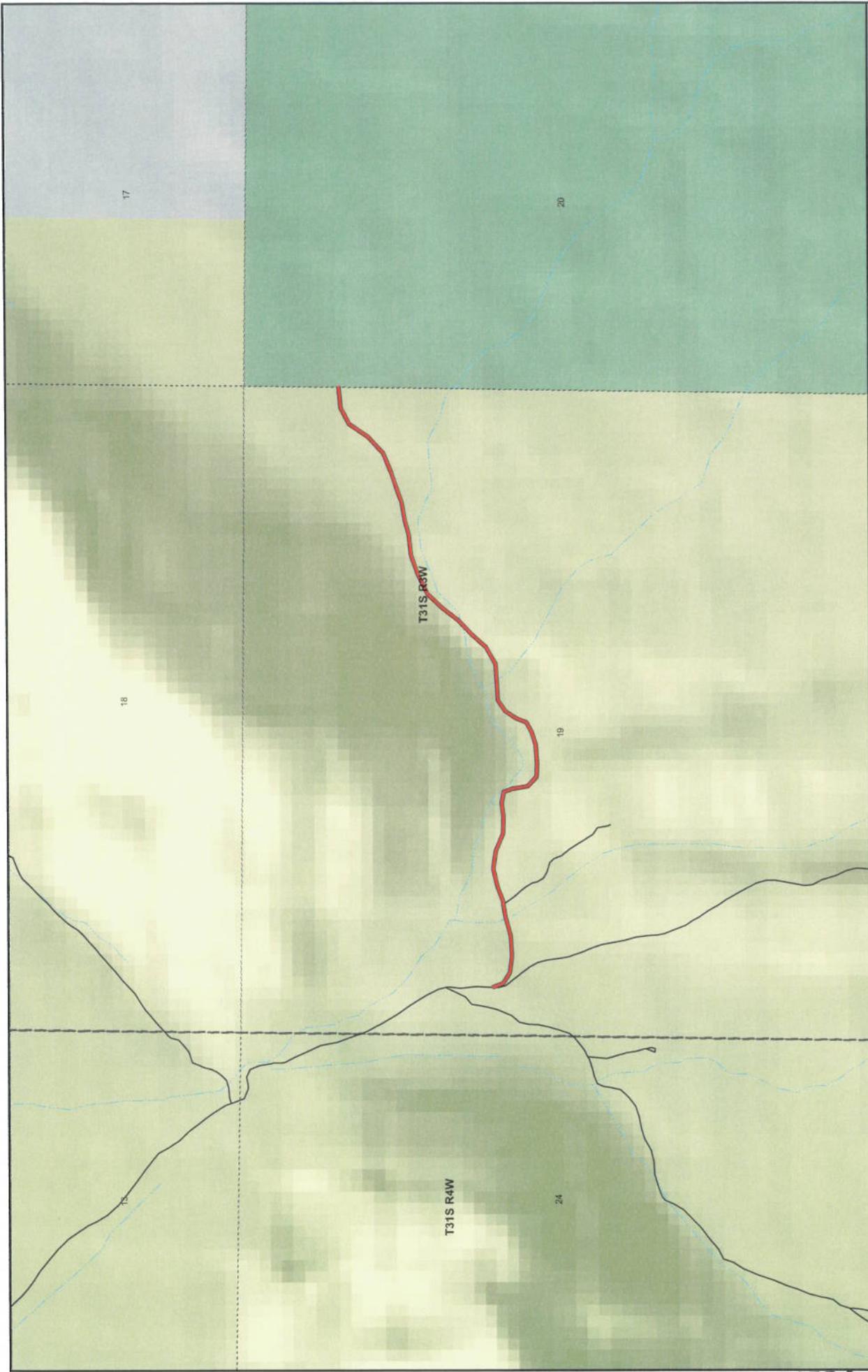
RUSSELL BULKLEY

SUBSCRIBED AND SWORN to before me this 12th day of July, 2007.





NOTARY PUBLIC



BURNT SRPPING RD
County Unique - 0040

- 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
- Transportation Network**
- BURNT SRPPING RD
 - State / U.S. Highway
 - Local Roads
- Misc**
- City / Town
 - Municipalities
 - Section = 1 Mile
 - Monument Boundary



1:12,372
 1 inch equals 0.2 miles



Map prepared by the State of Utah
 Automated Geographic Reference Center
 AGRC
 Room 435, Government Center Building
 Salt Lake City, Utah 84114
 Jul 04, 2007



AFFIDAVIT OF D. MALOY DODDS

BURNT SPRING ROAD

GARFIELD COUNTY, UTAH

ROAD NUMBER 0040

State of Utah)
 : ss.
County of Garfield)

D. MALOY DODDS, 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 Panguitch, Garfield County, Utah. I have lived in Garfield County for 76 years. I have been a Garfield County Commissioner for 12 years.

2. I have traveled and am familiar with a road in Garfield County known as Burnt Spring Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s it followed the same route as in 1990 when I last observed it. Attached is a Garfield County map showing Burnt Spring 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 early 1960s and continuing through 1976 to 1990. Throughout this time period I have observed travel on the road by means of cars, trucks, ATVs and pickup trucks. Throughout this time period, the road has been used weekly, for more than ten continuous years prior to 1976, and was so used in 1990.

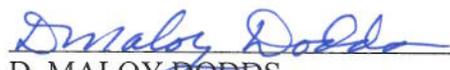
5. Throughout the time period from the early 1960s to 1990, I have used the road myself for hunting, recreation and travel in and through the area.

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 livestock operations.

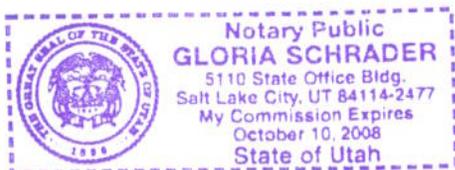
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

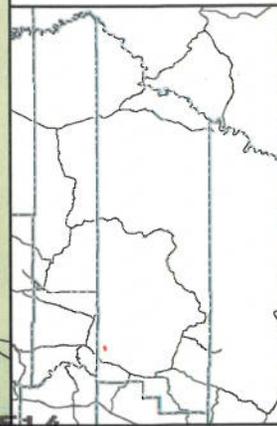
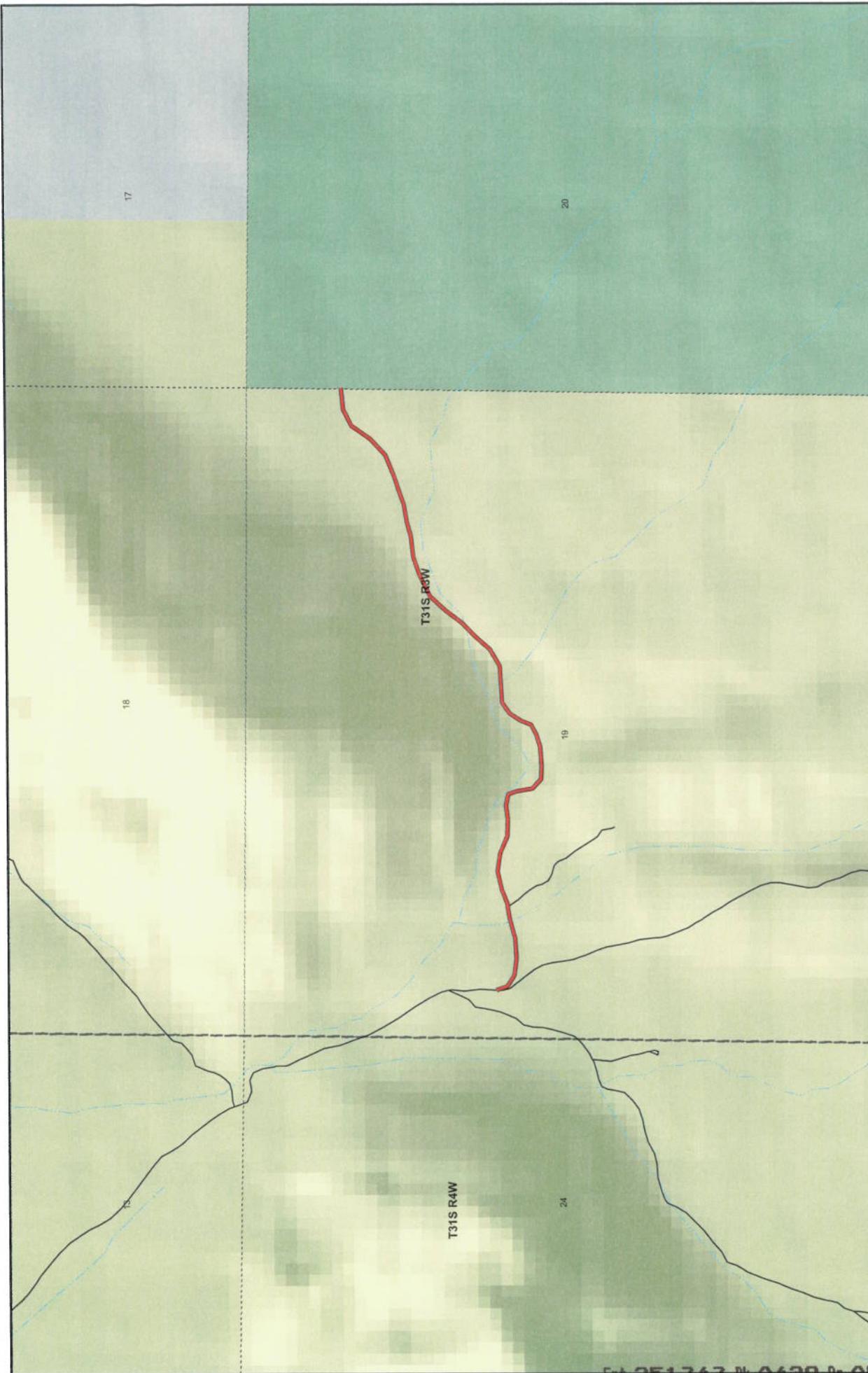
DATED this 9 day of July, 2007.


D. MALOY DODDS

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




NOTARY PUBLIC



BURNT SRPING RD
County Unique - 0040

- 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**
- BURNT SRPING RD
 - State / U.S. Highway
 - Local Roads



1:12,372
1 inch equals 0.2 miles



Map prepared by the State of Utah
Automated Geographic Reference Center
North American Datum 83
Room 930 State Capitol Building
Salt Lake City, Utah 84114
Jul 04, 2007



Appendix A to Attachment 4

Popular Name: BURNT SRPING ROAD

County: Garfield

County Road Number: 0040

State Geographic Information Database (SGID) Road Identification Number: RD090016.

Road-Segment Number: 001

Road-Segment Length: 1.06 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 31 South Range 3 West, Section(s) 19, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (BURNT SRPING 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 06 minutes 14.16 seconds North Latitude and -112 degrees 14 minutes 46.17 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,425,714.3 feet and Y = 10,366,698.7 feet; thence the following courses along the said road center line:

thence South 19 Degrees 39 Minutes 37 Seconds East	91.1 feet
thence South 56 Degrees 46 Minutes 20 Seconds East	103.9 feet
thence South 83 Degrees 35 Minutes 37 Seconds East	131.8 feet
thence North 86 Degrees 15 Minutes 33 Seconds East	159.1 feet
thence North 73 Degrees 47 Minutes 34 Seconds East	154.6 feet
thence North 81 Degrees 11 Minutes 06 Seconds East	99.9 feet
thence North 81 Degrees 33 Minutes 28 Seconds East	20.9 feet
thence North 68 Degrees 31 Minutes 03 Seconds East	121.8 feet
thence North 77 Degrees 29 Minutes 27 Seconds East	153.8 feet
thence South 82 Degrees 28 Minutes 52 Seconds East	142.1 feet
thence South 67 Degrees 40 Minutes 21 Seconds East	150 feet

thence South 88 Degrees 10 Minutes 29 Seconds East 132 feet
 thence North 82 Degrees 32 Minutes 29 Seconds East 108.1 feet
 thence South 80 Degrees 13 Minutes 52 Seconds East 90 feet
 thence South 19 Degrees 19 Minutes 14 Seconds East 72.5 feet
 thence South 10 Degrees 56 Minutes 59 Seconds East 126.2 feet
 thence South 47 Degrees 11 Minutes 07 Seconds East 99.4 feet
 thence South 88 Degrees 33 Minutes 17 Seconds East 107 feet
 thence North 86 Degrees 10 Minutes 55 Seconds East 150.2 feet
 thence North 72 Degrees 59 Minutes 20 Seconds East 102.8 feet
 thence North 60 Degrees 06 Minutes 18 Seconds East 86.4 feet
 thence North 21 Degrees 49 Minutes 25 Seconds East 83.6 feet
 thence North 31 Degrees 38 Minutes 17 Seconds East 107.9 feet
 thence North 55 Degrees 56 Minutes 57 Seconds East 106.9 feet
 thence North 87 Degrees 05 Minutes 57 Seconds East 123.5 feet
 thence North 85 Degrees 59 Minutes 48 Seconds East 163.1 feet
 thence North 60 Degrees 14 Minutes 21 Seconds East 157.5 feet
 thence North 40 Degrees 24 Minutes 35 Seconds East 152.4 feet
 thence North 45 Degrees 59 Minutes 45 Seconds East 152.5 feet
 thence North 36 Degrees 37 Minutes 44 Seconds East 158.9 feet
 thence North 41 Degrees 46 Minutes 08 Seconds East 164 feet
 thence North 63 Degrees 21 Minutes 49 Seconds East 174.6 feet
 thence North 69 Degrees 44 Minutes 37 Seconds East 165.5 feet
 thence North 83 Degrees 16 Minutes 14 Seconds East 161.5 feet
 thence North 75 Degrees 27 Minutes 28 Seconds East 117.5 feet
 thence North 79 Degrees 49 Minutes 00 Seconds East 143.6 feet
 thence North 70 Degrees 52 Minutes 04 Seconds East 92.6 feet
 thence North 71 Degrees 10 Minutes 31 Seconds East 153 feet
 thence North 67 Degrees 29 Minutes 04 Seconds East 173.7 feet
 thence North 46 Degrees 50 Minutes 31 Seconds East 179 feet
 thence North 33 Degrees 33 Minutes 27 Seconds East 174.3 feet
 thence North 63 Degrees 49 Minutes 05 Seconds East 145.2 feet
 thence North 84 Degrees 32 Minutes 16 Seconds East 153.5 feet
 thence North 80 Degrees 51 Minutes 58 Seconds East 7.4 feet more or less to **the ending point**

at: 38 degrees 06 minutes 26.71 seconds North Latitude and -112 degrees 13 minutes 46.92 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,430,459.8 feet and Y = 10,367,930.7 feet.