

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

Ent 486369 Bk 729 Pg 562-574  
Date: 27-MAY-2008 10:55AM  
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 YELLOW CAT MINE ROAD; County Road Number: 00164; State Geographic Information Database (SGID) Road Identification Number: RD100059. Total road length is 1.13 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.

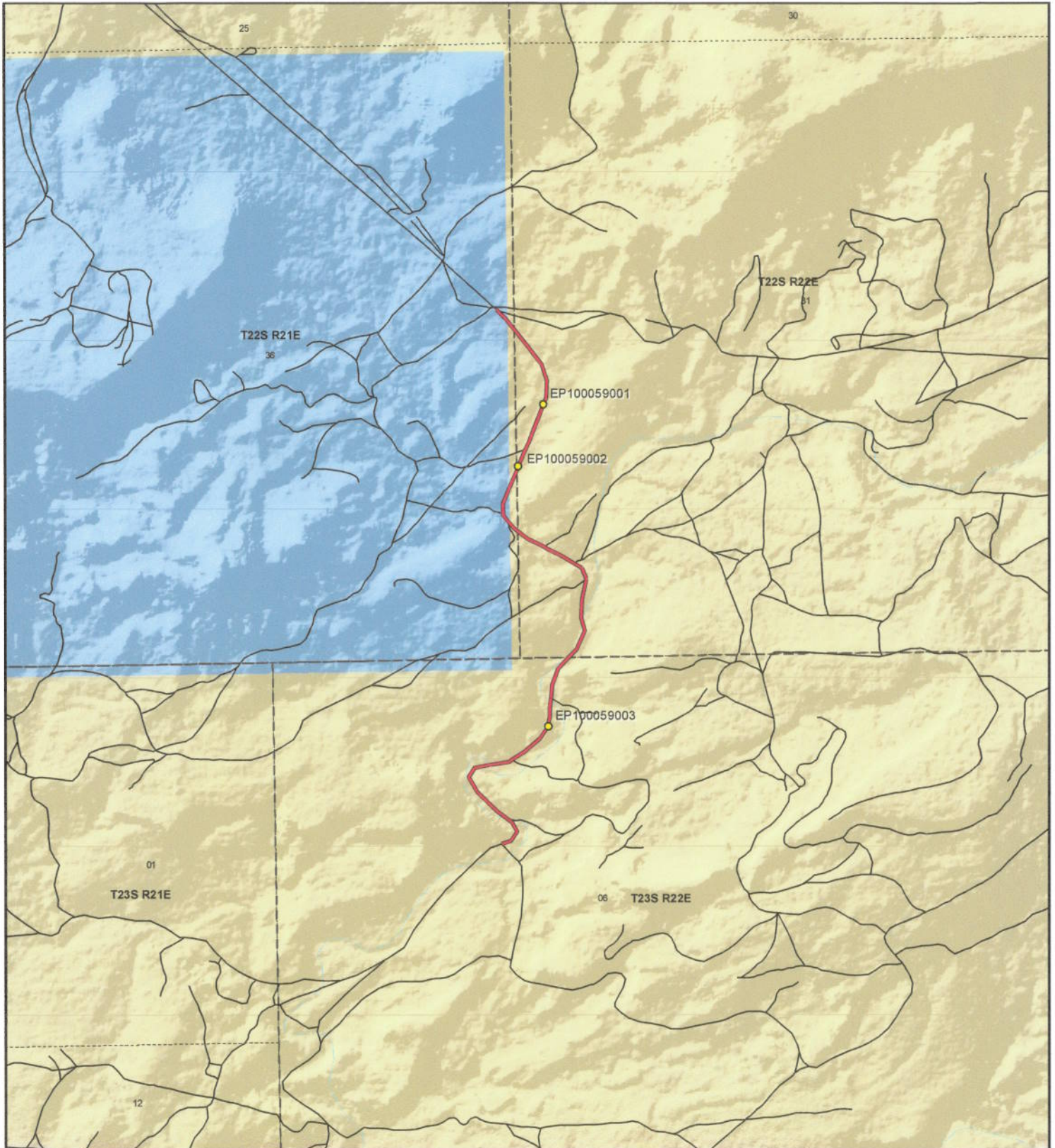
This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of 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





<p>1:13,404 1 inch equals 0.2 miles</p>		<p align="center"><b>Yellow Cat Mine Road - Grand County</b> <b>SGID RD_ID RD100059</b></p> <table border="0"> <tr> <td colspan="2"><b>Land Ownership Categories</b></td> <td><b>Transportation Network</b></td> </tr> <tr> <td>● BLM</td> <td>◆ Wilderness</td> <td>— Yellow Cat Mine Road</td> </tr> <tr> <td>● Private</td> <td>◆ UDWR Wildlife Reserve</td> <td>— Title V: Issued Or Under Consideration By BLM Or County</td> </tr> <tr> <td>● SITLA, State Trust Land</td> <td>◆ DOD, Military</td> <td>— Other Roads</td> </tr> <tr> <td>● USFS, National Forest</td> <td>◆ State Sovereign Land</td> <td>● Photo Event Point</td> </tr> <tr> <td>● State Parks and Recreation</td> <td>◆ National Recreation Area</td> <td>□ Section = 1 Mile</td> </tr> <tr> <td>● Tribal, Indian Reservation</td> <td>◆ USFWS, Natl. Wildlife Refuge</td> <td></td> </tr> <tr> <td>● NPS, National Park</td> <td></td> <td></td> </tr> </table>	<b>Land Ownership Categories</b>		<b>Transportation Network</b>	● BLM	◆ Wilderness	— Yellow Cat Mine Road	● Private	◆ UDWR Wildlife Reserve	— Title V: Issued Or Under Consideration By BLM Or County	● SITLA, State Trust Land	◆ DOD, Military	— Other Roads	● USFS, National Forest	◆ State Sovereign Land	● Photo Event Point	● State Parks and Recreation	◆ National Recreation Area	□ Section = 1 Mile	● Tribal, Indian Reservation	◆ USFWS, Natl. Wildlife Refuge		● NPS, National Park			<p>Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 Apr 10, 2008</p>
<b>Land Ownership Categories</b>		<b>Transportation Network</b>																									
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● NPS, National Park																											

Attachment 2



EP100059001



EP100059002



EP100059003

EP000000000

EP000000000

EP000000000

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**Yellow Cat Mine Road - Grand County**  
**SGID RD\_ID RD100059**

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: YELLOW CAT MINE ROAD**

**County: Grand**

**County Road Number: 00164**

**State Geographic Information Database (SGID) Road Identification Number: RD100059.**

**Total Road Length: 1.13 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 50 minutes 11.27 seconds North Latitude and -109 degrees 32 minutes 09.97 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,199,835.2 feet and Y = 6,751,072.3 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 50 minutes 56.58 seconds North Latitude and -109 degrees 32 minutes 09.63 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,199,760.9 feet and Y = 6,755,656.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 22 South Range 21 East, Section(s) 36, Salt Lake Base & Meridian  
Township 22 South Range 22 East, Section(s) 31, Salt Lake Base & Meridian  
Township 23 South Range 22 East, Section(s) 6, Salt Lake Base & Meridian  
See Attachment 1 above for a cartographic depiction of the course of this road.

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**Attachment 4  
Road Centerline Description Cover Page(s)**

**Popular Name: YELLOW CAT MINE ROAD**

**County: Grand**

**County Road Number: 00164**

**State Geographic Information Database (SGID) Road Identification Number: RD100059.**

**Total Road Length: 1.13 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>RD100059</b>	<b>001</b>	<b>BLM</b>	<b>0.73 Miles</b>	<b>A</b>
<b>RD100059</b>	<b>002</b>	<b>ST</b>	<b>0.06 Miles</b>	<b>(not shown)</b>
<b>RD100059</b>	<b>003</b>	<b>BLM</b>	<b>0.3 Miles</b>	<b>B</b>
<b>RD100059</b>	<b>004</b>	<b>ST</b>	<b>0.03 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>1.13</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.

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## **Attachment 5**

**AFFIDAVIT OF RAYMOND M. TIBBETTS**

**YELLOW CAT MINE ROAD**

**COUNTY ROAD NUMBER 00164**

**GRAND COUNTY, UTAH**

State of Utah                    )  
  : ss.  
County of Grand                )

RAYMOND M. TIBBETTS, 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 68 years. I was a Grand County Commissioner for six years. I was a Grand County Deputy Sheriff from 1954 to 1956.

2. I have traveled and am familiar with a road in Grand County known as Yellow Cat Mine 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 2000 when I last observed it. Attached is a Grand County map showing Yellow Cat Mine 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 early 1950s and continuing through 1976 to 2000. Throughout this time period I have observed travel on the road by

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various means, including Grand County road equipment, cars, ATVs, trucks and jeeps. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and was used daily in 2000.

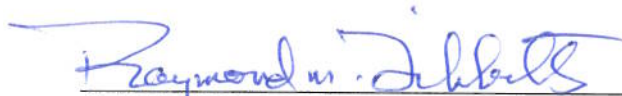
4. Throughout the time period from the early 1950s to 2000, I have used the road myself for hunting, law enforcement, arrow head hunting and recreation.

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, tourism, oil and gas exploration, rock hounding, prospecting for minerals, biking, wood gathering and traveling in and through the area.

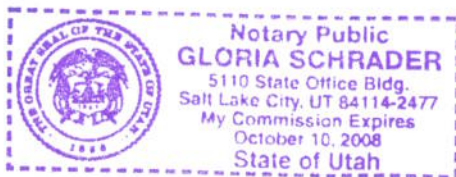
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

7. Prior to 1976, I observed maintenance equipment performing maintenance and construction activities on the road.

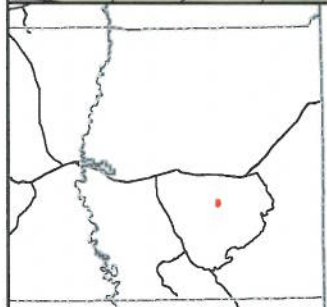
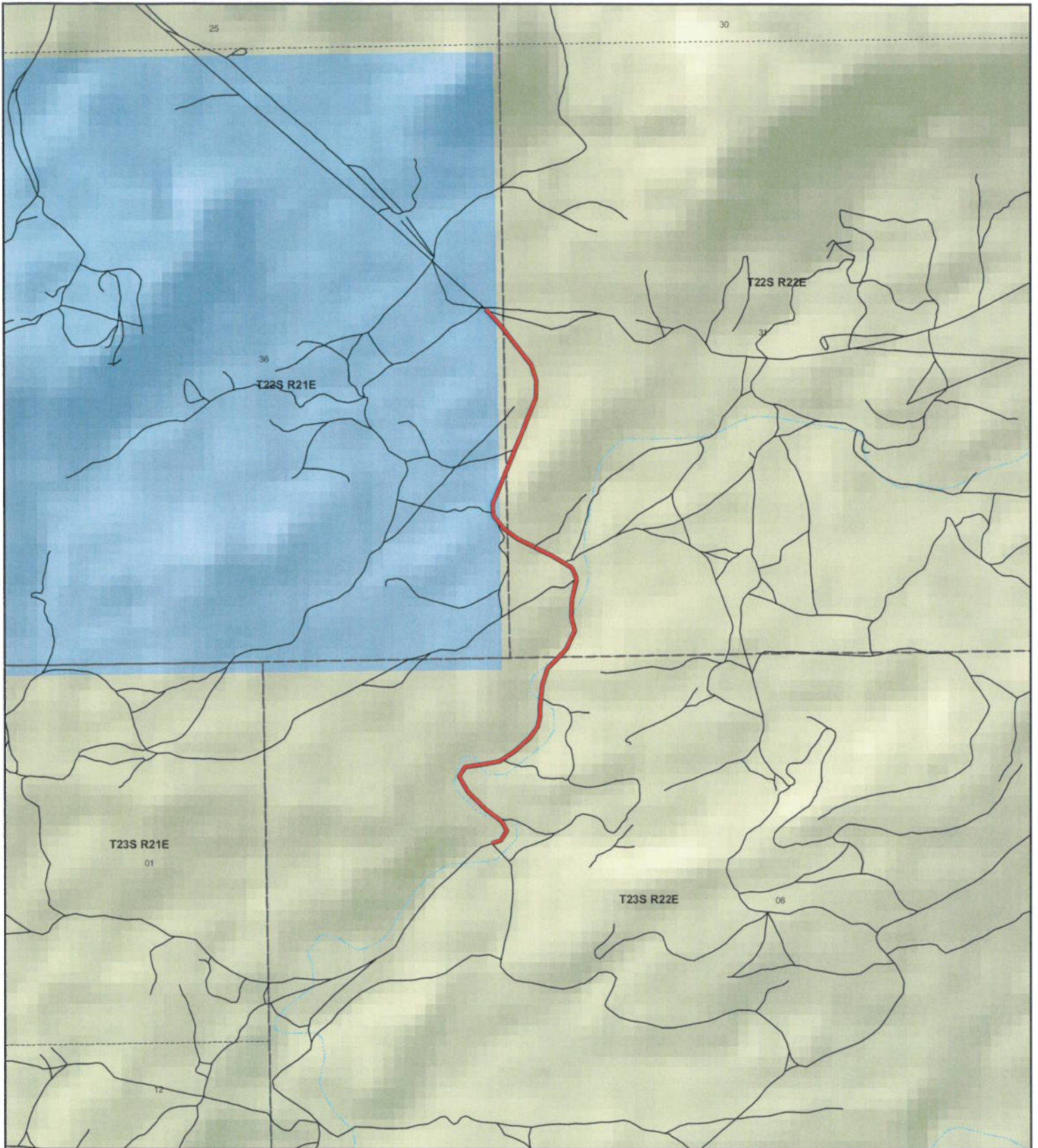
Dated this 1 day of August, 2007.

  
\_\_\_\_\_  
RAYMOND M. TIBBETTS

SUBSCRIBED AND SWORN to before me this 1st day of August, 2007.



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



**Yellow Cat Mine  
County Unique - 00164**

**Land Ownership Categories**

- ◆ BLM
- ◆ US Forest Service
- ◆ Private
- ◆ State Lands
- ◆ National Parks (NPS)
- ◆ Wilderness
- ◆ National Recreation Area
- ◆ State Parks
- ◆ State Sovereign Land
- ◆ Tribal Lands
- ◆ Military
- ◆ Wildlife Reserve

**Transportation Network**

- Yellow Cat Mine
- State / U.S. Highway
- Local Roads

**Misc**

- City / Town
- ⊙ Municipalities
- ⊘ Section = 1 Mile



1:13,189  
1 inch equals 0.2 miles



Map prepared by the State of Utah  
AGRC  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Jul 25, 2007



**AFFIDAVIT OF JOHN CORTES**  
**YELLOW CAT MINE ROAD**  
**COUNTY ROAD NUMBER 00164**  
**GRAND COUNTY, UTAH**

State of Utah                    )  
  : ss.  
County of Grand                )

JOHN CORTES, 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 51 years. I was employed by the Grand County Road Department for 36 years from 1959 to 1995.

2. I have traveled and am familiar with a road in Grand County known as Yellow Cat Mine Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1959, it followed the same route as in the 1980s when I last observed it. Attached is a Grand County map showing Yellow Cat Mine 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 1959 and continuing through 1976 to the 1980s. Throughout this time period I have observed travel on the road by various means, including Grand County road equipment, cars, trucks and jeeps. Throughout this

time period, the road has been used daily for more than ten continuous years prior to 1976, and was used daily in the 1980s.

4. Throughout the time period from 1959 to the 1980s, I have used the road myself for performing road maintenance and hunting.

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 mining and livestock operations.

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 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

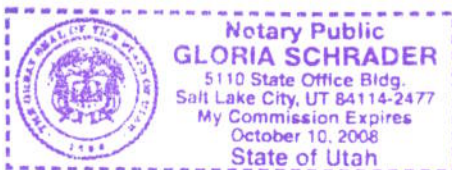
7. Prior to 1976, I personally maintained the road.

Dated this 1 day of August, 2007.

\_\_\_\_\_  
JOHN CORTES

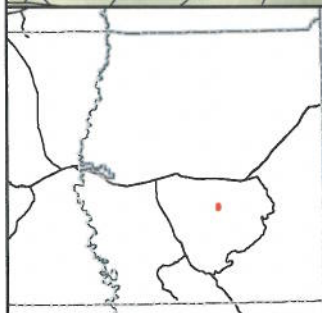
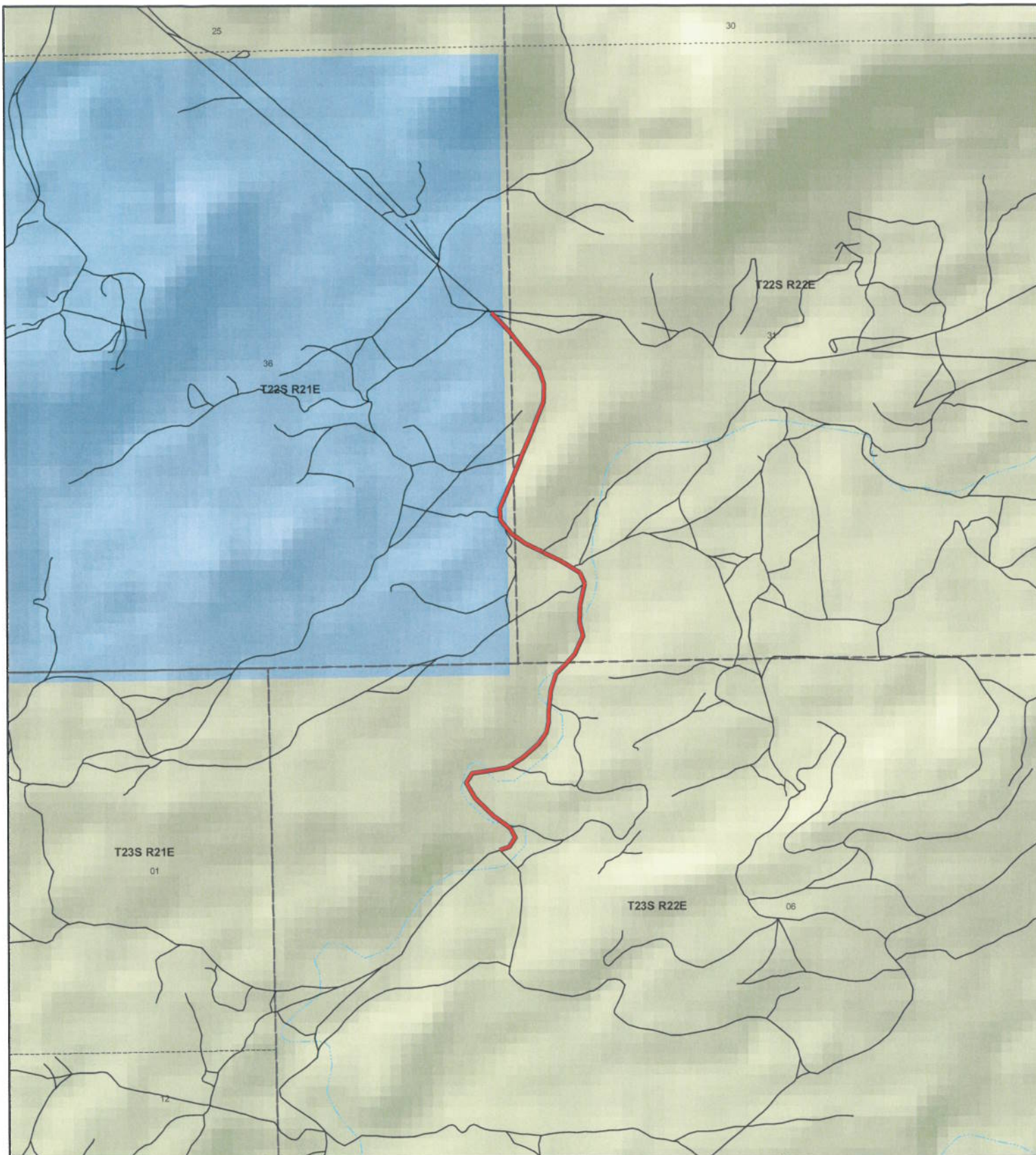


SUBSCRIBED AND SWORN to before me this 1<sup>st</sup> day of August, 2007.



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





**Yellow Cat Mine  
County Unique - 00164**

**Land Ownership Categories**

- ◆ BLM
- ◆ US Forest Service
- ◆ Private
- ◆ State Lands
- ◆ National Parks (NPS)
- ◆ Wilderness
- ◆ National Recreation Area
- ◆ State Parks
- ◆ State Sovereign Land
- ◆ Tribal Lands
- ◆ Military
- ◆ Wildlife Reserve

**Transportation Network**

- Yellow Cat Mine
- State / U.S. Highway
- Local Roads

**Misc**

- City / Town
- Municipalities
- Section = 1 Mile



1:13,189  
1 inch equals 0.2 miles



Map prepared by the State of Utah  
AGRC  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Jul 25, 2007



## Appendix A to Attachment 4

**Popular Name: YELLOW CAT MINE ROAD**

**County: Grand**

**County Road Number: 00164**

**State Geographic Information Database (SGID) Road Identification Number: RD100059.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.73 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 22 South Range 21 East, Section(s) 36, Salt Lake Base & Meridian

Township 22 South Range 22 East, Section(s) 31, Salt Lake Base & Meridian

Township 23 South Range 22 East, Section(s) 6, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (YELLOW CAT MINE 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 50 minutes 11.27 seconds North Latitude and -109 degrees 32 minutes 09.97 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,199,835.2 feet and Y = 6,751,072.3 feet; thence the following courses along the said road center line:

thence North 70 Degrees 09 Minutes 27 Seconds East 83.6 feet  
thence North 33 Degrees 31 Minutes 21 Seconds East 96.8 feet  
thence North 29 Degrees 05 Minutes 35 Seconds West 86.1 feet  
thence North 53 Degrees 17 Minutes 50 Seconds West 54.5 feet  
thence North 53 Degrees 48 Minutes 55 Seconds West 124.1 feet  
thence North 45 Degrees 59 Minutes 07 Seconds West 218.3 feet  
thence North 30 Degrees 39 Minutes 53 Seconds West 154 feet  
thence North 33 Degrees 33 Minutes 52 Seconds East 94.9 feet  
thence North 80 Degrees 40 Minutes 39 Seconds East 136.6 feet

thence North 80 Degrees 26 Minutes 01 Seconds East 163.7 feet  
thence North 55 Degrees 34 Minutes 53 Seconds East 32.2 feet  
thence North 56 Degrees 42 Minutes 13 Seconds East 123.7 feet  
thence North 48 Degrees 58 Minutes 27 Seconds East 173.7 feet  
thence North 35 Degrees 41 Minutes 06 Seconds East 123.8 feet  
thence North 12 Degrees 20 Minutes 43 Seconds East 92.5 feet  
thence North 01 Degrees 11 Minutes 15 Seconds West 82.1 feet  
thence North 06 Degrees 09 Minutes 58 Seconds East 77.6 feet  
thence North 05 Degrees 51 Minutes 15 Seconds East 112.2 feet  
thence North 17 Degrees 35 Minutes 17 Seconds East 146.6 feet  
thence North 43 Degrees 38 Minutes 44 Seconds East 114 feet  
thence North 42 Degrees 11 Minutes 12 Seconds East 21.5 feet  
thence North 42 Degrees 10 Minutes 01 Seconds East 98.7 feet  
thence North 24 Degrees 00 Minutes 47 Seconds East 171.1 feet  
thence North 14 Degrees 52 Minutes 02 Seconds West 117 feet  
thence North 01 Degrees 27 Minutes 11 Seconds East 151 feet  
thence North 12 Degrees 34 Minutes 59 Seconds East 185.2 feet  
thence North 24 Degrees 17 Minutes 40 Seconds West 100.5 feet  
thence North 41 Degrees 02 Minutes 07 Seconds West 2.2 feet  
thence North 59 Degrees 12 Minutes 06 Seconds West 66.6 feet  
thence North 58 Degrees 05 Minutes 50 Seconds West 126.1 feet  
thence North 64 Degrees 11 Minutes 16 Seconds West 152.6 feet  
thence North 61 Degrees 25 Minutes 11 Seconds West 6.8 feet  
thence North 64 Degrees 30 Minutes 10 Seconds West 173.2 feet  
thence North 53 Degrees 11 Minutes 57 Seconds West 109.8 feet  
thence North 53 Degrees 12 Minutes 16 Seconds West 39.7 feet  
thence North 40 Degrees 17 Minutes 37 Seconds West 56.7 feet more or less to **the ending**

**point at:** 38 degrees 50 minutes 38.41 seconds North Latitude and -109 degrees 32 minutes 08.51 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,199,890.2 feet and Y = 6,753,820.2 feet.

## Appendix B to Attachment 4

**Popular Name: YELLOW CAT MINE ROAD**

**County: Grand**

**County Road Number: 00164**

**State Geographic Information Database (SGID) Road Identification Number: RD100059.**

**Road-Segment Number: 003**

**Road-Segment Length: 0.3 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 22 South Range 21 East, Section(s) 36, Salt Lake Base & Meridian

Township 22 South Range 22 East, Section(s) 31, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (YELLOW CAT MINE ROAD)-- Segment 003 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 50 minutes 41.38 seconds North Latitude and -109 degrees 32 minutes 8.5 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,199,884.5 feet and Y = 6,754,120.5 feet; thence the following courses along the said road center line:

thence North 22 Degrees 27 Minutes 24 Seconds East 9.8 feet  
thence North 22 Degrees 36 Minutes 45 Seconds East 151.4 feet  
thence North 22 Degrees 35 Minutes 53 Seconds East 46.4 feet  
thence North 21 Degrees 27 Minutes 42 Seconds East 150.2 feet  
thence North 23 Degrees 41 Minutes 34 Seconds East 79 feet  
thence North 20 Degrees 44 Minutes 54 Seconds East 124.9 feet  
thence North 21 Degrees 51 Minutes 02 Seconds East 134.7 feet  
thence North 21 Degrees 16 Minutes 50 Seconds East 144.7 feet  
thence North 02 Degrees 10 Minutes 37 Seconds East 149.5 feet  
thence North 18 Degrees 19 Minutes 29 Seconds West 141.5 feet



thence North 39 Degrees 12 Minutes 41 Seconds West 145.4 feet

thence North 38 Degrees 51 Minutes 34 Seconds West 125.8 feet

thence North 37 Degrees 21 Minutes 34 Seconds West 115.3 feet

thence North 37 Degrees 18 Minutes 14 Seconds West 8 feet

thence North 42 Degrees 21 Minutes 55 Seconds West 83.2 feet more or less to **the ending**

**point at:** 38 degrees 50 minutes 55.56 seconds North Latitude and -109 degrees 32 minutes 08.44 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,199,857.3 feet and Y = 6,755,554.7 feet.