

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

Ent 486402 Bk 730 Pg 390 - 402
Date: 27-MAY-2008 12:11PM
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 FENCE CANYON ROAD; County Road Number: 00204; State Geographic Information Database (SGID) Road Identification Number: RD100094. Total road length is 2.73 miles more or less.

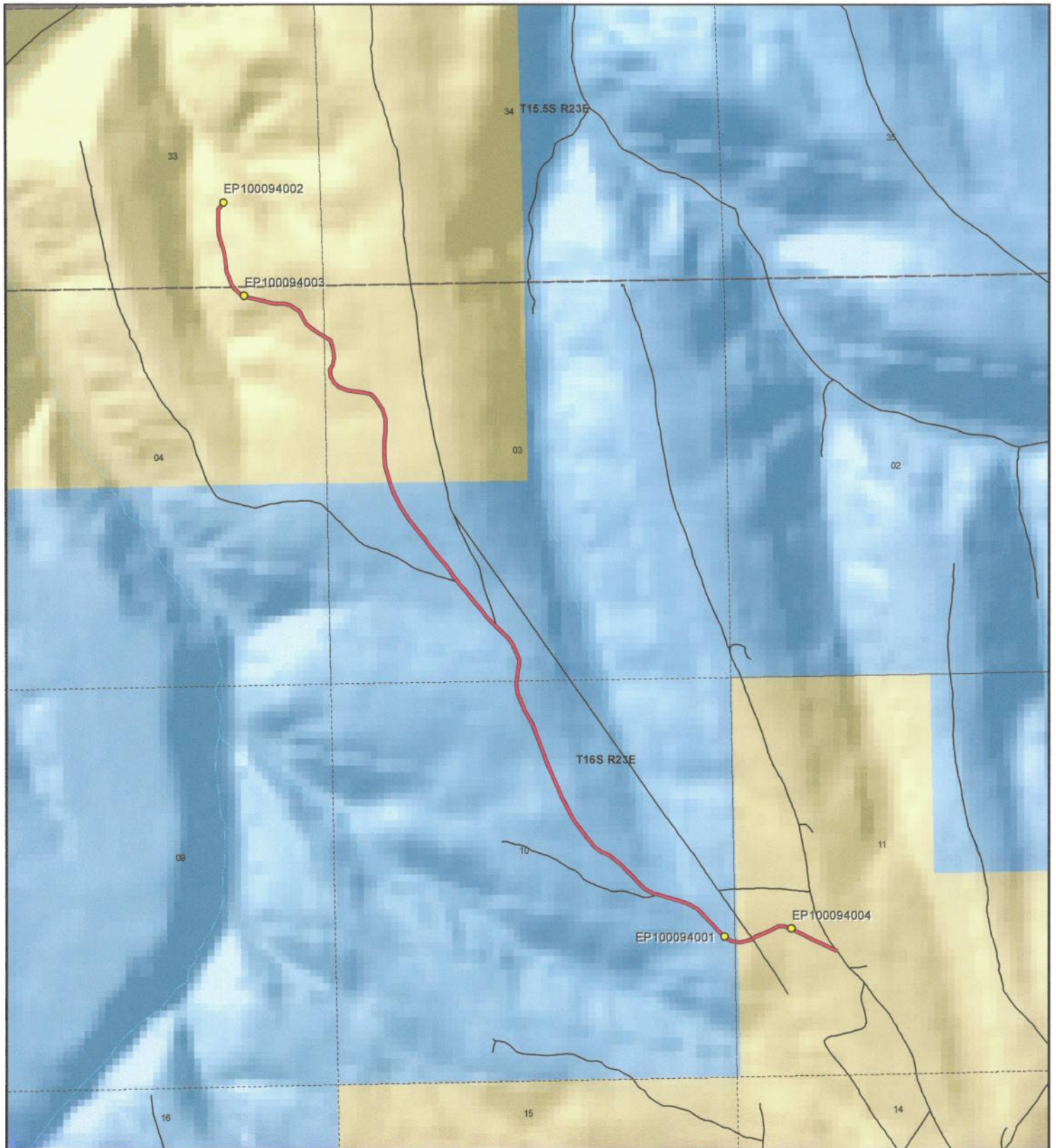
The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) 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>1:20,595 1 inch equals 0.3 miles</p>		<p align="center">Fence Canyon Road - Grand County SGID RD_ID RD100094</p> <table border="0"> <tr> <td colspan="2">Land Ownership Categories</td> <td colspan="2">Transportation Network</td> </tr> <tr> <td> BLM</td> <td> Wilderness</td> <td> Fence Canyon Road</td> <td> Title V: Issued Or Under Consideration By BLM Or County</td> </tr> <tr> <td> Private</td> <td> UDWR Wildlife Reserve</td> <td> Other Roads</td> <td> Photo Event Point</td> </tr> <tr> <td> SITLA, State Trust Land</td> <td> DOD, Military</td> <td> Section = 1 Mile</td> <td></td> </tr> <tr> <td> USFS, National Forest</td> <td> State Sovereign Land</td> <td></td> <td></td> </tr> <tr> <td> State Parks and Recreation</td> <td> National Recreation Area</td> <td></td> <td></td> </tr> <tr> <td> Tribal, Indian Reservation</td> <td> USPWS, Natl. Wildlife Refuge</td> <td></td> <td></td> </tr> <tr> <td> NPS, National Park</td> <td></td> <td></td> <td></td> </tr> </table>	Land Ownership Categories		Transportation Network		BLM	Wilderness	Fence Canyon Road	Title V: Issued Or Under Consideration By BLM Or County	Private	UDWR Wildlife Reserve	Other Roads	Photo Event Point	SITLA, State Trust Land	DOD, Military	Section = 1 Mile		USFS, National Forest	State Sovereign Land			State Parks and Recreation	National Recreation Area			Tribal, Indian Reservation	USPWS, 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>
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Attachment 2



EP100094001



EP100094002



EP100094003



EP100094004

EP000000000

EP000000000

Ent 486402 Bk 0730 Pg 0393

Fence Canyon Road - Grand County
SGID RD_ID RD100094

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: FENCE CANYON ROAD

County: Grand

County Road Number: 00204

State Geographic Information Database (SGID) Road Identification Number: RD100094.

Total Road Length: 2.73 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 25 minutes 39.29 seconds North Latitude and -109 degrees 21 minutes 08.88 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,246,965.5 feet and Y = 6,967,511.4 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 27 minutes 18.18 seconds North Latitude and -109 degrees 22 minutes 049.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,238,819.8 feet and Y = 6,977,324.5 feet based on the US Survey Foot conversion.

This road may traverse:

Township 15.5 South Range 23 East, Section(s) 33, Salt Lake Base & Meridian
Township 16 South Range 23 East, Section(s) 3,4,10,11, 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: FENCE CANYON ROAD

County: Grand

County Road Number: 00204

State Geographic Information Database (SGID) Road Identification Number: RD100094.

Total Road Length: 2.73 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
RD100094	001	BLM	0.27 Miles	A
RD100094	002	ST	1.51 Miles	(not shown)
RD100094	003	BLM	0.95 Miles	B
		Total Road Length	2.73	—————

* Indicates that a Title V permit will be requested, is in process, or has been issued.

† Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment 5

AFFIDAVIT OF JIM TOMLINSON

FENCE CANYON ROAD

COUNTY ROAD NUMBER 00204

GRAND COUNTY, UTAH

State of Colorado)
 : ss.
County of Mesa)

JIM TOMLINSON, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I have lived in Mesa County, Colorado for 69 years.

2. I have traveled and am familiar with a road in Grand County known as Fence Canyon Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1961, it followed the same route as in 2007 when I last observed it. Attached is a Grand County map showing Fence Canyon 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 1961 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including cars, semis, maintenance vehicles, ATVs, trucks and jeeps. Throughout this time period, the road has been used weekly, for more than ten continuous years prior to 1976, and was so used in 2007.


4. Throughout the time period from 1961 to 2007, I have used the road myself for hunting, livestock operations and traveling in and through the area.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus oil and gas exploration, wood gathering and camping.

6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

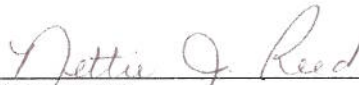
7. Prior to 1976, I observed graders performing maintenance and construction activities on the road.

Dated this 7 day of September, 2007.



JIM TOMLINSON

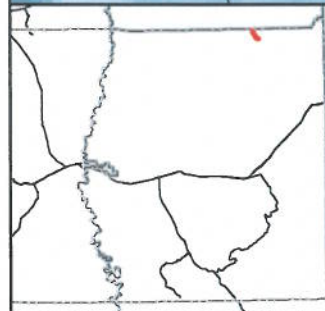
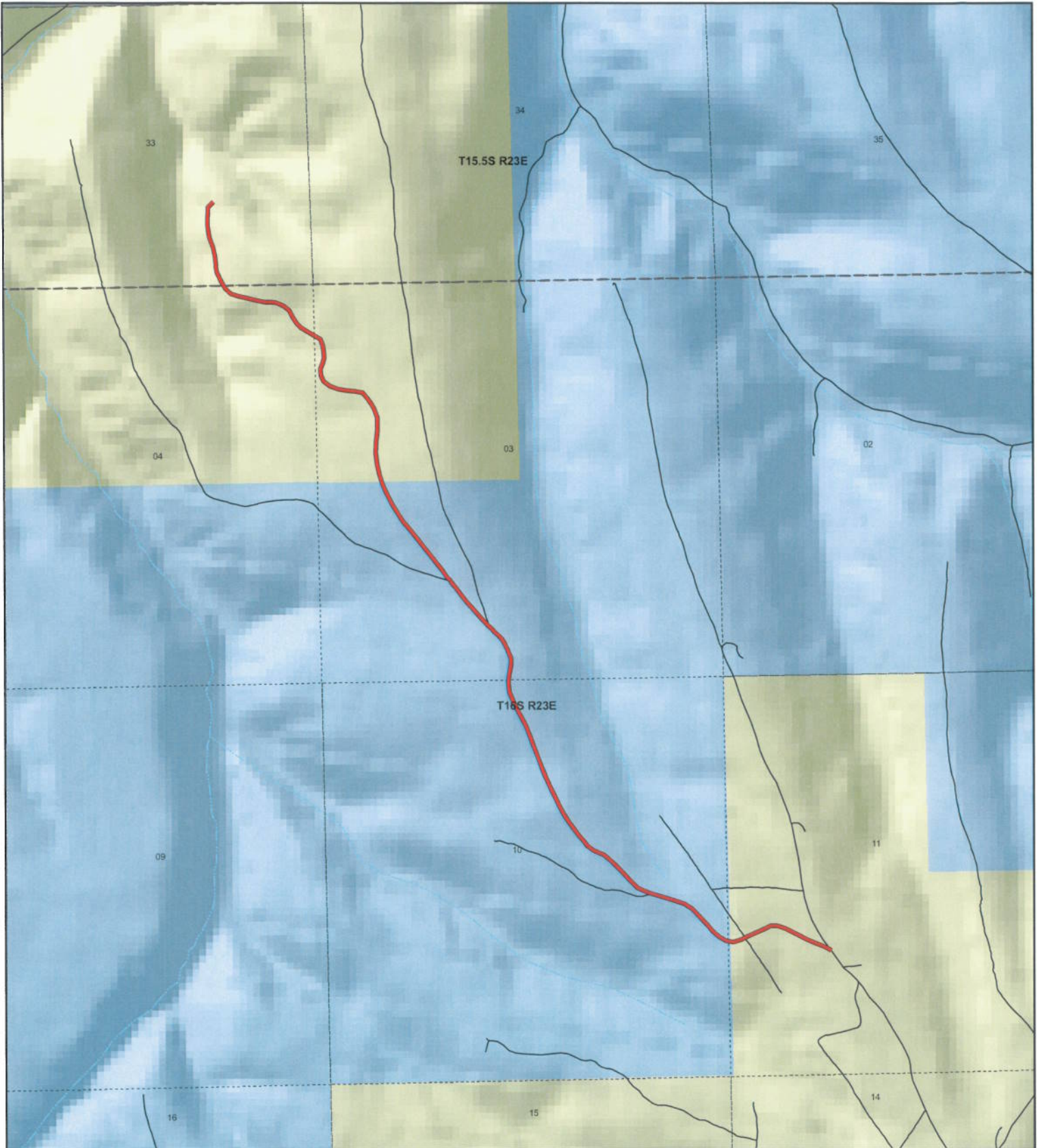
SUBSCRIBED AND SWORN to before me this 7th day of September, 2007.



NOTARY PUBLIC

My Commission Expires: 1/27/2011





**Fence Canyon
County Unique - 00204**

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

- Fence Canyon
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- ⋯ Municipalities
- ⋯ Section = 1 Mile



1:20,265
1 inch equals 0.3 miles



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



AFFIDAVIT OF BLAINE D. STEVENS

FENCE CANYON ROAD

COUNTY ROAD NUMBER 00204

GRAND COUNTY, UTAH

State of Utah)
 : ss.
County of Grand)

BLAINE D. STEVENS, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I have lived in Grand County for 45 years.

2. I have traveled and am familiar with a road in Grand County known as Fence Canyon Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1940s it followed the same route as in 2006 when I last observed it. Attached is a Grand County map showing Fence Canyon Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. The County also identifies this road according to the road number listed above.

3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1940s and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including trucks and jeeps. Throughout this time period, the road has been used daily, weather permitting, for more than ten continuous years prior to 1976, and was so used in 2006.

4. Throughout the time period from the late 1940s to 2006, I have used the road myself for hunting and traveling in and through the area.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus livestock operations and wood gathering.

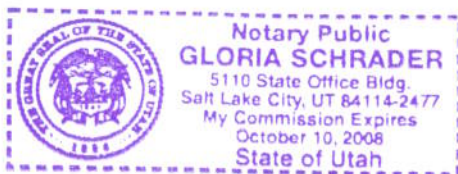
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

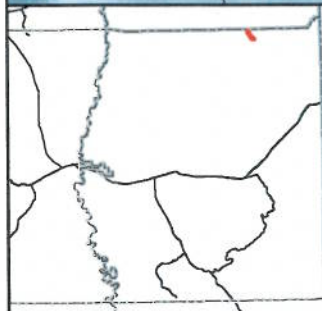
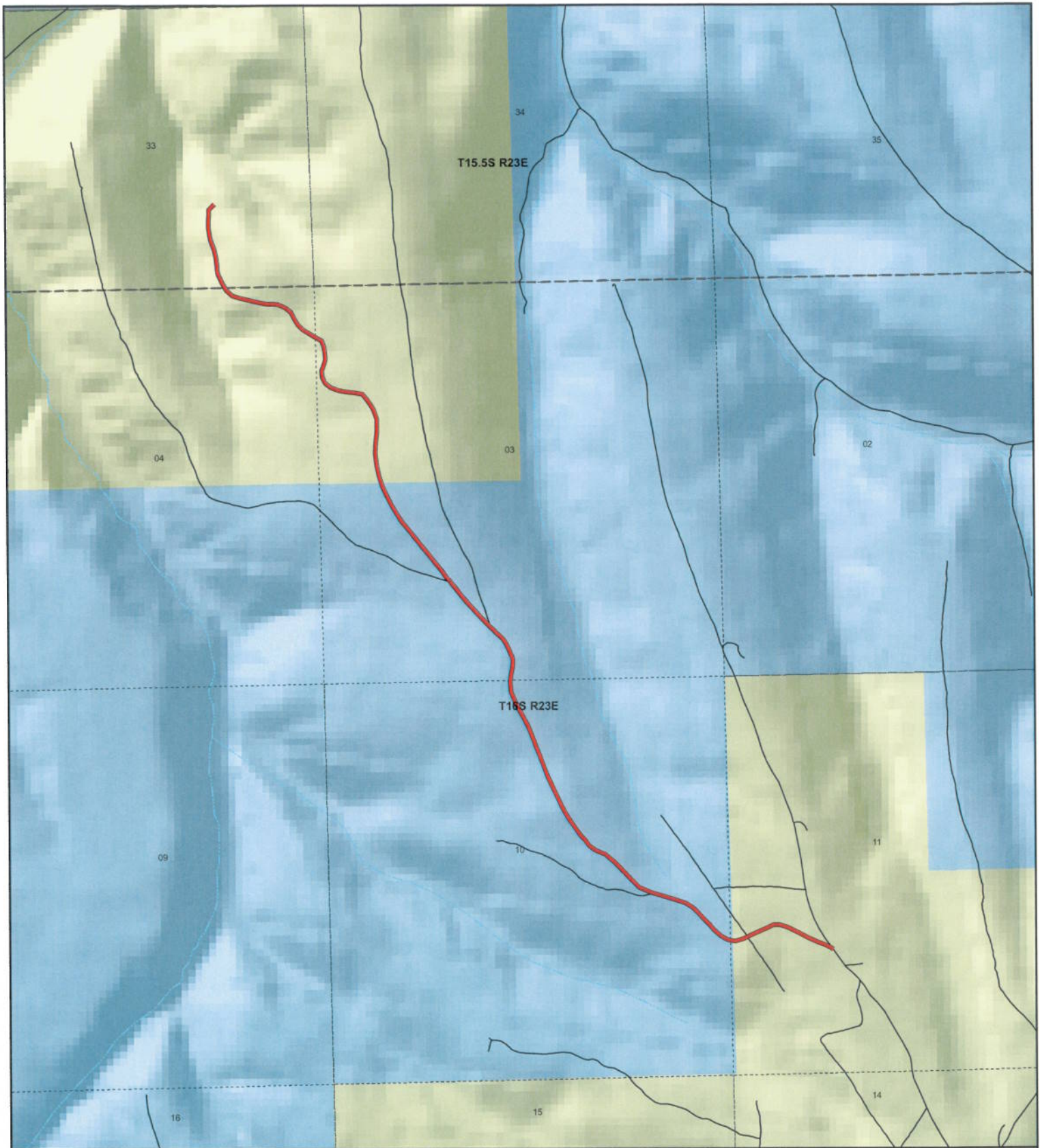
Dated this 2 day of August, 2007.


BLAINE D. STEVENS

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




NOTARY PUBLIC



Fence Canyon County Unique - 00204

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

- Fence Canyon
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile



1:20,265
1 inch equals 0.3 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: FENCE CANYON ROAD

County: Grand

County Road Number: 00204

State Geographic Information Database (SGID) Road Identification Number: RD100094.

Road-Segment Number: 001

Road-Segment Length: 0.27 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 16 South Range 23 East, Section(s) 11, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (FENCE CANYON 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 39 degrees 25 minutes 39.29 seconds North Latitude and -109 degrees 21 minutes 08.88 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,246,965.5 feet and Y = 6,967,511.4 feet; thence the following courses along the said road center line:

thence North 52 Degrees 52 Minutes 35 Seconds West 29.7 feet
thence North 64 Degrees 54 Minutes 35 Seconds West 91.7 feet
thence North 68 Degrees 36 Minutes 34 Seconds West 110.8 feet
thence North 65 Degrees 55 Minutes 36 Seconds West 131 feet
thence North 62 Degrees 47 Minutes 35 Seconds West 145.5 feet
thence North 64 Degrees 08 Minutes 54 Seconds West 148.7 feet
thence North 70 Degrees 00 Minutes 21 Seconds West 118.1 feet
thence South 89 Degrees 40 Minutes 15 Seconds West 80.4 feet
thence South 63 Degrees 54 Minutes 39 Seconds West 98.1 feet
thence South 64 Degrees 20 Minutes 45 Seconds West 122.7 feet
thence South 64 Degrees 38 Minutes 16 Seconds West 120.2 feet

thence South 64 Degrees 36 Minutes 14 Seconds West 38.7 feet
thence South 66 Degrees 17 Minutes 20 Seconds West 57.9 feet
thence South 73 Degrees 52 Minutes 23 Seconds West 108.5 feet
thence North 80 Degrees 59 Minutes 24 Seconds West 37.6 feet more or less to **the ending**
point at: 39 degrees 25 minutes 40.69 seconds North Latitude and -109 degrees 21 minutes 25.67 seconds
West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet
coordinates of X = 2,245,644.7 feet and Y = 6,967,621.5 feet.

Appendix B to Attachment 4

Popular Name: FENCE CANYON ROAD

County: Grand

County Road Number: 00204

State Geographic Information Database (SGID) Road Identification Number: RD100094.

Road-Segment Number: 003

Road-Segment Length: 0.95 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 15.5 South Range 23 East, Section(s) 33, Salt Lake Base & Meridian

Township 16 South Range 23 East, Section(s) 3,4, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (FENCE CANYON 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 39 degrees 26 minutes 041.4 seconds North Latitude and -109 degrees 22 minutes 022.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,241,025.6 feet and Y = 6,973,654.7 feet; thence the following courses along the said road center line:

thence North 18 Degrees 24 Minutes 15 Seconds West 94.3 feet
thence North 13 Degrees 24 Minutes 10 Seconds West 143.2 feet
thence North 05 Degrees 34 Minutes 20 Seconds West 148.3 feet
thence North 01 Degrees 42 Minutes 02 Seconds East 151 feet
thence North 05 Degrees 04 Minutes 04 Seconds East 154.9 feet
thence North 00 Degrees 19 Minutes 58 Seconds East 159.1 feet
thence North 19 Degrees 31 Minutes 48 Seconds West 130.3 feet
thence North 31 Degrees 51 Minutes 48 Seconds West 84.7 feet
thence North 32 Degrees 03 Minutes 43 Seconds West 73.3 feet
thence North 43 Degrees 29 Minutes 04 Seconds West 94.5 feet

thence North 79 Degrees 11 Minutes 57 Seconds West 102 feet
thence North 83 Degrees 59 Minutes 55 Seconds West 119 feet
thence North 79 Degrees 34 Minutes 03 Seconds West 105.4 feet
thence North 69 Degrees 06 Minutes 35 Seconds West 104.3 feet
thence North 51 Degrees 26 Minutes 38 Seconds West 96.7 feet
thence North 28 Degrees 46 Minutes 17 Seconds West 89.6 feet
thence North 04 Degrees 14 Minutes 09 Seconds West 87.2 feet
thence North 23 Degrees 52 Minutes 07 Seconds East 84.5 feet
thence North 11 Degrees 29 Minutes 34 Seconds East 72.1 feet
thence North 05 Degrees 02 Minutes 20 Seconds West 82.3 feet
thence North 08 Degrees 00 Minutes 41 Seconds West 84.4 feet
thence North 20 Degrees 12 Minutes 49 Seconds West 82 feet
thence North 59 Degrees 16 Minutes 52 Seconds West 92.8 feet
thence North 59 Degrees 18 Minutes 35 Seconds West 5.9 feet
thence North 58 Degrees 58 Minutes 31 Seconds West 97.7 feet
thence North 57 Degrees 34 Minutes 01 Seconds West 90.9 feet
thence North 46 Degrees 10 Minutes 57 Seconds West 87.2 feet
thence North 32 Degrees 00 Minutes 23 Seconds West 92.5 feet
thence North 27 Degrees 58 Minutes 22 Seconds West 98.2 feet
thence North 52 Degrees 26 Minutes 17 Seconds West 85.5 feet
thence North 59 Degrees 52 Minutes 45 Seconds West 58.3 feet
thence North 68 Degrees 56 Minutes 53 Seconds West 63 feet
thence North 84 Degrees 28 Minutes 13 Seconds West 48.2 feet
thence South 87 Degrees 34 Minutes 14 Seconds West 44.8 feet
thence South 89 Degrees 40 Minutes 17 Seconds West 52.5 feet
thence North 78 Degrees 50 Minutes 42 Seconds West 65.9 feet
thence North 78 Degrees 11 Minutes 05 Seconds West 85.8 feet
thence North 75 Degrees 23 Minutes 49 Seconds West 101.9 feet
thence North 77 Degrees 17 Minutes 00 Seconds West 109 feet
thence North 71 Degrees 51 Minutes 32 Seconds West 103.6 feet
thence North 47 Degrees 50 Minutes 20 Seconds West 99.6 feet
thence North 31 Degrees 36 Minutes 04 Seconds West 43.8 feet
thence North 31 Degrees 37 Minutes 59 Seconds West 40.7 feet
thence North 27 Degrees 37 Minutes 40 Seconds West 57.2 feet
thence North 23 Degrees 51 Minutes 51 Seconds West 48.3 feet
thence North 22 Degrees 43 Minutes 12 Seconds West 53.2 feet
thence North 11 Degrees 34 Minutes 24 Seconds West 56.9 feet
thence North 06 Degrees 40 Minutes 07 Seconds West 44.6 feet
thence North 05 Degrees 13 Minutes 20 Seconds West 52.7 feet
thence North 07 Degrees 51 Minutes 37 Seconds West 59.6 feet
thence North 10 Degrees 43 Minutes 41 Seconds West 56.7 feet
thence North 13 Degrees 12 Minutes 12 Seconds West 58.9 feet
thence North 20 Degrees 06 Minutes 06 Seconds West 69.7 feet
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thence North 09 Degrees 30 Minutes 42 Seconds West 79.8 feet
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thence North 00 Degrees 11 Minutes 36 Seconds West 83.7 feet
thence North 00 Degrees 53 Minutes 25 Seconds East 77.1 feet
thence North 01 Degrees 43 Minutes 01 Seconds East 68.9 feet

thence North 41 Degrees 36 Minutes 42 Seconds East 59.5 feet

thence North 46 Degrees 50 Minutes 46 Seconds East 45.9 feet more or less to **the ending point at:** 39 degrees 27 minutes 18.18 seconds North Latitude and -109 degrees 22 minutes 049.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,238,819.8 feet and Y = 6,977,324.5 feet.