

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

Ent 486425 Bk 731 Pg 79-91  
Date: 27-MAY-2008 1:39PM  
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 MESA WELLS ROAD; County Road Number: 00242; State Geographic Information Database (SGID) Road Identification Number: RD100120. Total road length is 1.9 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 22<sup>nd</sup> day of May, 2008.

By the Governor's Designee

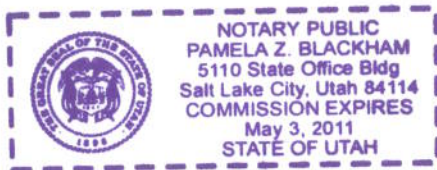
  
\_\_\_\_\_  
John Harja

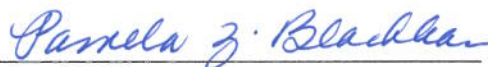
**CERTIFICATION**

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.

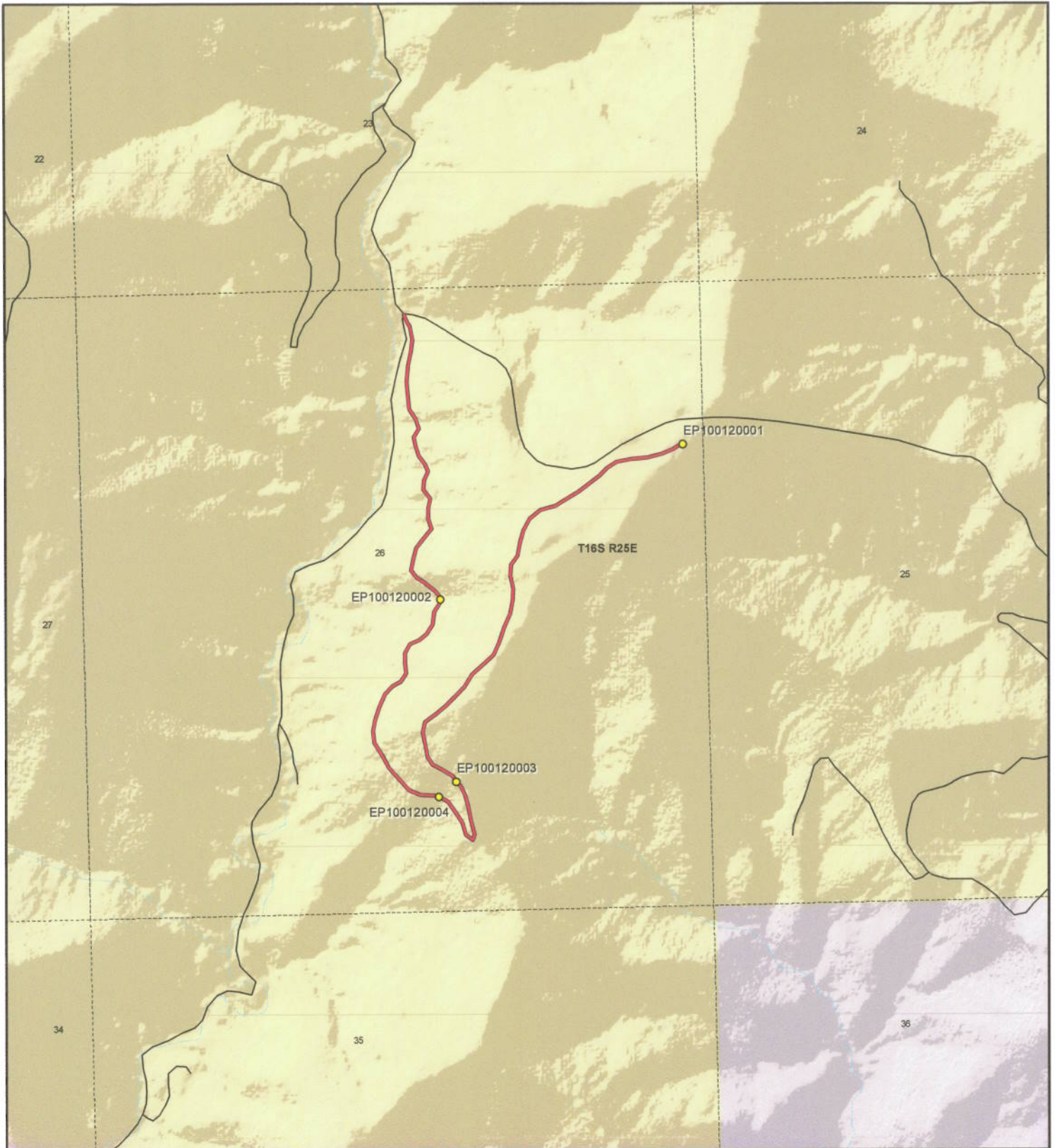
Dated this 22<sup>nd</sup> day of May, 2008.



  
\_\_\_\_\_  
Notary Public



Attachment 1



**Mesa Wells Road - Grand County**  
**SGID RD\_ID RD100120**

**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**

- Mesa Wells Road
- Title V: Issued Or Under Consideration By BLM Or County
- Other Roads
- 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  
 Apr 10, 2008



1:13,234  
 1 inch equals 0.2 miles





Attachment 2



EP100120002



EP100120003



EP100120004



EP100120001

EP000000000

EP000000000

Ent 486425 Bk 0731 Pg 0082

*Mesa Wells Road - Grand County*  
**SGID RD\_ID RD100120**

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: MESA WELLS ROAD**

**County: Grand**

**County Road Number: 00242**

**State Geographic Information Database (SGID) Road Identification Number: RD100120.**

**Total Road Length: 1.9 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 23 minutes 25.39 seconds North Latitude and -109 degrees 06 minutes 59.09 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,313,982.1 feet and Y = 6,955,657.8 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 23 minutes 36.83 seconds North Latitude and -109 degrees 07 minutes 028.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,311,627.5 feet and Y = 6,956,753.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 16 South Range 25 East, Section(s) 26, 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: MESA WELLS ROAD**

**County: Grand**

**County Road Number: 00242**

**State Geographic Information Database (SGID) Road Identification Number: RD100120.**

**Total Road Length: 1.9 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>RD100120</b>	<b>001</b>	<b>BLM</b>	<b>1.9 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>1.9</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.

## **Attachment 5**

Ent 486425 Bk 0731 Pg 0085



**AFFIDAVIT OF CHARLES E. ROBERTS**

**MESA WELLS ROAD**

**GRAND COUNTY, UTAH**

**ROAD NUMBER 00242**

State of Colorado            )  
  : ss.  
County of Mesa                )

CHARLES E. ROBERTS, 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 Mack, Mesa County, Colorado. I have lived in Mesa County since 1948. I have worked and hunted in the Book Cliff area of Eastern Gand County, Utah since 1948.

2. I have traveled and am familiar with a road in Grand County known as Mesa Wells 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 2007 when I last observed it. Attached is a Grand County map showing Mesa Wells 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 Gand 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 the 2007. Throughout this time period I observed travel on the road by means of cars, mountain bikes, jeeps, pickup trucks and ATVs. During this time period, the road was used daily for more than ten continuous years prior to 1976 and was used daily in 2007.



5. Throughout the time period from the late 1950s to 2007, I used the road myself for hunting, oil field work sightseeing and recreation.

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, rock hounding, wood gathering, oil and gas exploration and development and sightseeing.

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 evidence of maintenance and construction such as windrows along the side of the road.

DATED this 7 day of September, 2007.

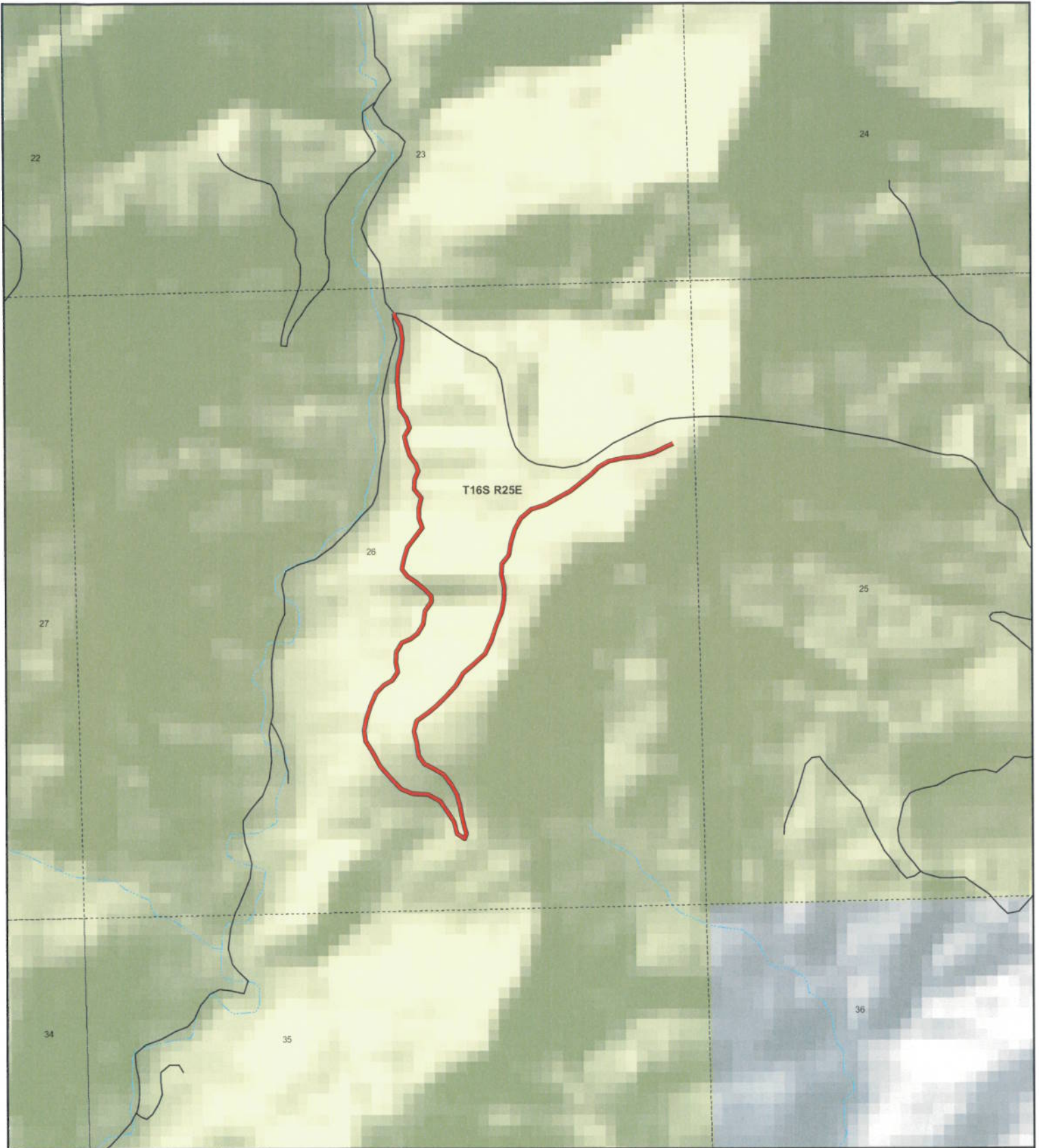
  
\_\_\_\_\_  
CHARLES E. ROBERTS

SUBSCRIBED AND SWORN to before me this 7<sup>th</sup> day of September, 2007.

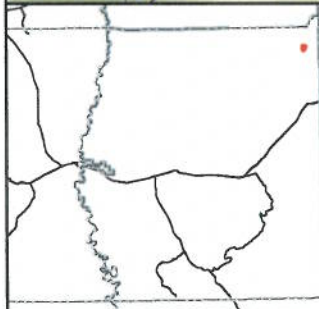
  
\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: 11/27/2011





T16S R25E



**Mesa Wells  
County Unique - 00242**

**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**

- Mesa Wells
- State / U.S. Highway
- Local Roads

**Misc**

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



1:13,021  
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



486425 731 88

**AFFIDAVIT OF WILLIAM H. BUNIGER III**

**MESA WELLS ROAD**

**GRAND COUNTY, UTAH**

**ROAD NUMBER 00242**

State of Colorado            )  
  : ss.  
County of Mesa                )

WILLIAM H. BUNIGER III, 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 Loma, Mesa County, Colorado. I have lived in Mesa County for 62 years. I have worked and hunted in the Book Cliff area of Eastern Gand County, Utah for at least 50 years.

2. I have traveled and am familiar with a road in Grand County known as Mesa Wells 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 2007 when I last observed it. Attached is a Grand County map showing Mesa Wells 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 Gand 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 2007. Throughout this time period I observed travel on the road by means of cars, mountain bikes, jeeps, pickup trucks and ATVs. During this time period, the road was used daily for more than ten continuous years prior to 1976 and was used daily in 2007.

5. Throughout the time period from the early 1960s to 2007, I used the road myself



for oil field work and recreation.

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, rock hounding, wood gathering, oil and gas exploration and development and sightseeing.

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 evidence of maintenance and construction such as windrows along the side of the road.

DATED this 7 day of September, 2007.

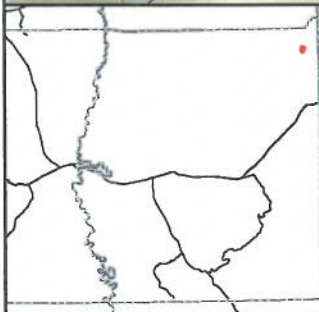
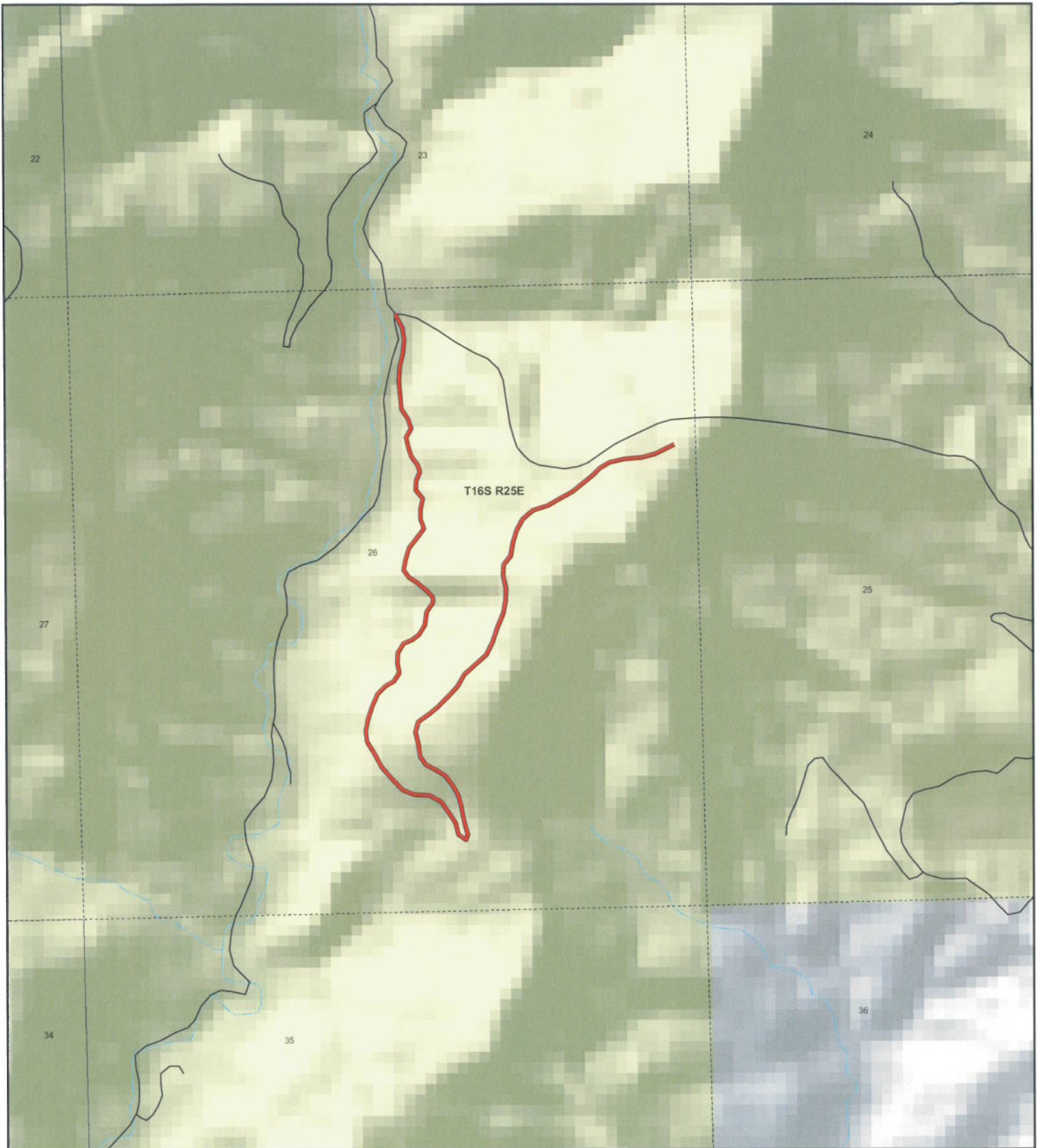
William H. Buniger III  
WILLIAM H. BUNIGER III

SUBSCRIBED AND SWORN to before me this 7<sup>th</sup> day of September, 2007.

Nettie J. Reed  
NOTARY PUBLIC

My commission expires: 1/27/2011





**Mesa Wells**  
**County Unique - 00242**

**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**

- Mesa Wells
- State / U.S. Highway
- Local Roads

**Misc**

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



1:13,021  
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



731

91



## Appendix A to Attachment 4

**Popular Name: MESA WELLS ROAD**

**County: Grand**

**County Road Number: 00242**

**State Geographic Information Database (SGID) Road Identification Number: RD100120.**

**Road-Segment Number: 001**

**Road-Segment Length: 1.9 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 25 East, Section(s) 26, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (MESA WELLS 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 23 minutes 25.39 seconds North Latitude and -109 degrees 06 minutes 59.09 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,313,982.1 feet and Y = 6,955,657.8 feet; thence the following courses along the said road center line:

thence South 61 Degrees 40 Minutes 17 Seconds West 73.4 feet  
thence South 64 Degrees 45 Minutes 04 Seconds West 105.1 feet  
thence South 74 Degrees 22 Minutes 16 Seconds West 124.4 feet  
thence South 84 Degrees 59 Minutes 45 Seconds West 141 feet  
thence South 77 Degrees 23 Minutes 30 Seconds West 131.1 feet  
thence South 58 Degrees 03 Minutes 40 Seconds West 100.2 feet  
thence South 44 Degrees 34 Minutes 23 Seconds West 83.4 feet  
thence South 52 Degrees 04 Minutes 39 Seconds West 102.2 feet  
thence South 51 Degrees 07 Minutes 39 Seconds West 123.7 feet  
thence South 59 Degrees 52 Minutes 36 Seconds West 118.9 feet  
thence South 59 Degrees 13 Minutes 39 Seconds West 116.6 feet



thence South 73 Degrees 44 Minutes 48 Seconds West 131.6 feet  
thence South 49 Degrees 33 Minutes 54 Seconds West 117.1 feet  
thence South 27 Degrees 12 Minutes 15 Seconds West 109.1 feet  
thence South 16 Degrees 39 Minutes 04 Seconds West 108.1 feet  
thence South 10 Degrees 08 Minutes 45 Seconds West 115.1 feet  
thence South 36 Degrees 14 Minutes 04 Seconds West 94 feet  
thence South 02 Degrees 58 Minutes 31 Seconds West 88.7 feet  
thence South 11 Degrees 45 Minutes 16 Seconds East 113.8 feet  
thence South 02 Degrees 00 Minutes 46 Seconds West 105.1 feet  
thence South 09 Degrees 57 Minutes 33 Seconds West 106.7 feet  
thence South 22 Degrees 54 Minutes 04 Seconds West 123.2 feet  
thence South 17 Degrees 59 Minutes 45 Seconds West 138.2 feet  
thence South 25 Degrees 15 Minutes 59 Seconds West 118.2 feet  
thence South 46 Degrees 32 Minutes 50 Seconds West 110.4 feet  
thence South 48 Degrees 08 Minutes 50 Seconds West 136.1 feet  
thence South 29 Degrees 50 Minutes 12 Seconds West 119.5 feet  
thence South 42 Degrees 55 Minutes 49 Seconds West 123.9 feet  
thence South 44 Degrees 22 Minutes 07 Seconds West 110.8 feet  
thence South 50 Degrees 41 Minutes 46 Seconds West 93.9 feet  
thence South 53 Degrees 17 Minutes 45 Seconds West 121.7 feet  
thence South 13 Degrees 50 Minutes 13 Seconds West 89.7 feet  
thence South 13 Degrees 06 Minutes 31 Seconds East 99.2 feet  
thence South 08 Degrees 23 Minutes 01 Seconds East 112.7 feet  
thence South 34 Degrees 50 Minutes 40 Seconds East 83.6 feet  
thence South 65 Degrees 21 Minutes 34 Seconds East 85.5 feet  
thence South 58 Degrees 10 Minutes 44 Seconds East 101.7 feet  
thence South 37 Degrees 52 Minutes 27 Seconds East 111.7 feet  
thence South 27 Degrees 29 Minutes 07 Seconds East 88.5 feet  
thence South 16 Degrees 28 Minutes 32 Seconds East 97.3 feet  
thence South 10 Degrees 40 Minutes 34 Seconds East 105.1 feet  
thence South 12 Degrees 42 Minutes 59 Seconds East 82.3 feet  
thence South 17 Degrees 11 Minutes 23 Seconds East 56.6 feet  
thence South 17 Degrees 58 Minutes 05 Seconds West 48.4 feet  
thence North 55 Degrees 29 Minutes 46 Seconds West 74.7 feet  
thence North 14 Degrees 22 Minutes 03 Seconds West 104.8 feet  
thence North 33 Degrees 43 Minutes 38 Seconds West 108.1 feet  
thence North 35 Degrees 03 Minutes 41 Seconds West 105.8 feet  
thence North 60 Degrees 44 Minutes 36 Seconds West 113 feet  
thence North 88 Degrees 14 Minutes 21 Seconds West 134.8 feet  
thence North 67 Degrees 22 Minutes 03 Seconds West 100.9 feet  
thence North 44 Degrees 01 Minutes 24 Seconds West 127 feet  
thence North 40 Degrees 44 Minutes 52 Seconds West 137.9 feet  
thence North 30 Degrees 13 Minutes 27 Seconds West 132.5 feet  
thence North 31 Degrees 53 Minutes 13 Seconds West 111.7 feet  
thence North 06 Degrees 11 Minutes 10 Seconds West 90.7 feet  
thence North 10 Degrees 18 Minutes 05 Seconds East 103.5 feet  
thence North 17 Degrees 42 Minutes 20 Seconds East 122.5 feet  
thence North 24 Degrees 23 Minutes 12 Seconds East 108.4 feet  
thence North 43 Degrees 11 Minutes 07 Seconds East 95 feet

thence North 61 Degrees 11 Minutes 20 Seconds East 82.6 feet  
 thence North 33 Degrees 14 Minutes 42 Seconds East 82.7 feet  
 thence North 09 Degrees 20 Minutes 08 Seconds West 86.4 feet  
 thence North 00 Degrees 04 Minutes 00 Seconds West 85.3 feet  
 thence North 31 Degrees 02 Minutes 03 Seconds East 92.2 feet  
 thence North 67 Degrees 00 Minutes 14 Seconds East 80.9 feet  
 thence North 50 Degrees 08 Minutes 35 Seconds East 77.3 feet  
 thence North 30 Degrees 43 Minutes 05 Seconds East 93.8 feet  
 thence North 07 Degrees 57 Minutes 24 Seconds East 111.1 feet  
 thence North 33 Degrees 12 Minutes 53 Seconds East 90.5 feet  
 thence North 14 Degrees 14 Minutes 34 Seconds East 20.3 feet  
 thence North 04 Degrees 29 Minutes 07 Seconds West 31.3 feet  
 thence North 44 Degrees 14 Minutes 59 Seconds West 77.4 feet  
 thence North 50 Degrees 30 Minutes 47 Seconds West 94.8 feet  
 thence North 56 Degrees 38 Minutes 28 Seconds West 85.8 feet  
 thence North 38 Degrees 16 Minutes 00 Seconds West 79 feet  
 thence North 10 Degrees 08 Minutes 59 Seconds East 80.1 feet  
 thence North 17 Degrees 12 Minutes 30 Seconds East 113.5 feet  
 thence North 36 Degrees 06 Minutes 54 Seconds East 110.1 feet  
 thence North 36 Degrees 56 Minutes 03 Seconds East 96.9 feet  
 thence North 19 Degrees 05 Minutes 18 Seconds West 84.9 feet  
 thence North 00 Degrees 52 Minutes 18 Seconds West 86.9 feet  
 thence North 12 Degrees 25 Minutes 34 Seconds East 89.1 feet  
 thence North 38 Degrees 23 Minutes 46 Seconds West 93.8 feet  
 thence North 02 Degrees 26 Minutes 58 Seconds East 80.5 feet  
 thence North 23 Degrees 28 Minutes 55 Seconds East 80.7 feet  
 thence North 19 Degrees 29 Minutes 49 Seconds West 64.3 feet  
 thence North 38 Degrees 18 Minutes 10 Seconds West 85.3 feet  
 thence North 17 Degrees 38 Minutes 24 Seconds West 94.5 feet  
 thence North 11 Degrees 33 Minutes 57 Seconds West 73.6 feet  
 thence North 30 Degrees 32 Minutes 27 Seconds East 87.9 feet  
 thence North 20 Degrees 23 Minutes 17 Seconds West 89.1 feet  
 thence North 33 Degrees 09 Minutes 40 Seconds West 97.6 feet  
 thence North 05 Degrees 58 Minutes 06 Seconds West 102.2 feet  
 thence North 04 Degrees 35 Minutes 16 Seconds West 130 feet  
 thence North 03 Degrees 20 Minutes 33 Seconds East 124.9 feet  
 thence North 12 Degrees 54 Minutes 46 Seconds East 116.3 feet  
 thence North 05 Degrees 41 Minutes 55 Seconds East 117.1 feet  
 thence North 09 Degrees 12 Minutes 42 Seconds West 106.3 feet  
 thence North 29 Degrees 46 Minutes 51 Seconds West 98 feet

thence North 14 Degrees 23 Minutes 44 Seconds West 32.1 feet more or less to **the ending point at:** 39 degrees 23 minutes 36.83 seconds North Latitude and -109 degrees 07 minutes 028.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,311,627.5 feet and Y = 6,956,753.1 feet.