

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

Ent 486474 Bk 732 Pg 93-105  
Date: 27-MAY-2008 3:33PM  
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 SPRING CANYON WELL ROAD; County Road Number: 00362; State Geographic Information Database (SGID) Road Identification Number: RD100186. Total road length is 1.05 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

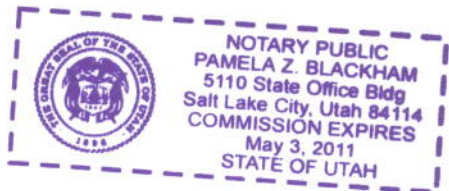
  
\_\_\_\_\_  
John Harja


**CERTIFICATION**

State of Utah                    )  
  : ss  
County of Salt Lake         )

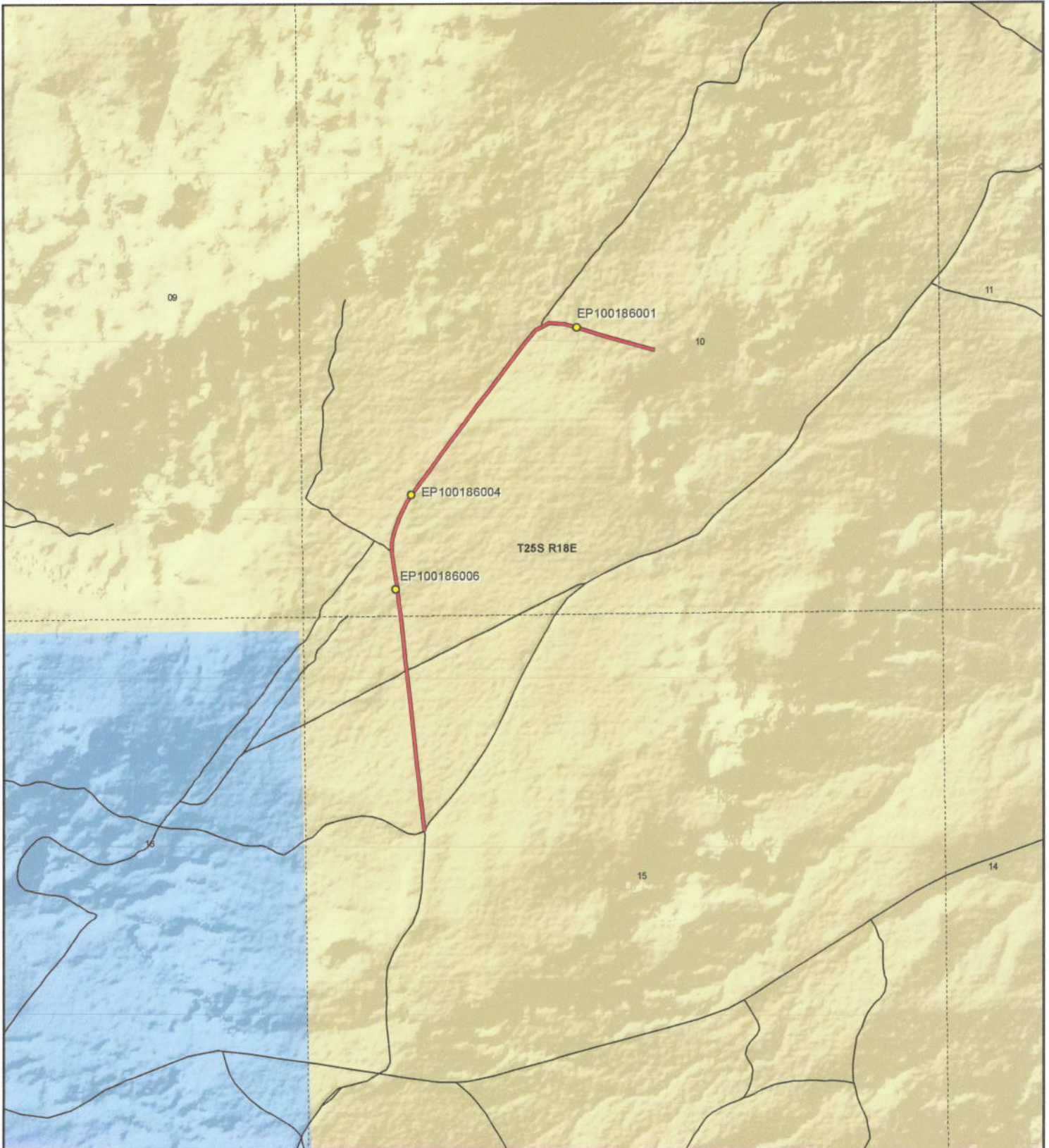
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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





<p>1:12,833 1 inch equals 0.2 miles</p>		<p style="text-align: center;"><b>Spring Canyon Well Road - Grand County</b> <b>SGID RD_ID RD100186</b></p> <table border="0"> <tr> <td colspan="2"><b>Land Ownership Categories</b></td> <td colspan="2"><b>Transportation Network</b></td> </tr> <tr> <td>● BLM</td> <td>◆ Wilderness</td> <td>— Spring Canyon Well 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>◆ USFWS, Natl. Wildlife Refuge</td> <td></td> <td></td> </tr> <tr> <td>● NPS, National Park</td> <td></td> <td></td> <td></td> </tr> </table>	<b>Land Ownership Categories</b>		<b>Transportation Network</b>		● BLM	◆ Wilderness	— Spring Canyon Well 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	◆ 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>
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Attachment 2



EP100186001



EP100186004



EP100186006

EP000000000

EP000000000

EP000000000

Ent 486474 Bk 0732 Pg 0096

Spring Canyon Well Road - Grand County  
SGID RD\_ID RD100186

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: SPRING CANYON WELL ROAD**

**County: Grand**

**County Road Number: 00362**

**State Geographic Information Database (SGID) Road Identification Number: RD100186.**

**Total Road Length: 1.05 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 37 minutes 56.89 seconds North Latitude and -109 degrees 55 minutes 36.36 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,089,873.8 feet and Y = 6,674,581.8 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 38 minutes 035.7 seconds North Latitude and -109 degrees 55 minutes 11.75 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,091,756.8 feet and Y = 6,678,541.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 25 South Range 18 East, Section(s) 10,15, Salt Lake Base & Meridian  
See Attachment 1 above for a cartographic depiction of the course of this road.

Ent 486474 Bk 0732 Pg 0097

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

**Popular Name: SPRING CANYON WELL ROAD**

**County: Grand**

**County Road Number: 00362**

**State Geographic Information Database (SGID) Road Identification Number: RD100186.**

**Total Road Length: 1.05 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>RD100186</b>	<b>001</b>	<b>BLM</b>	<b>1.05 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>1.05</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 486474 Bk 0732 Pg 0099



**AFFIDAVIT OF NEAL SWISHER**  
**SPRING CANYON WELL ROAD**  
**GRAND COUNTY, UTAH**  
**ROAD NUMBER 00362**

State of Utah                    )  
  : ss.  
County of Grand                )

NEAL SWISHER, 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 Moab, Grand County, Utah. I have lived in Grand County since 1960. I worked in the oil fields of Grand County until I retired in the early 1990s.

2. I have traveled and am familiar with a road in Grand County known as Spring Canyon Well 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 Spring Canyon Well 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 2007. Throughout this time period I observed travel on the road by means of 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 so used in 2007.

5. Throughout the time period from the early 1960s to 2007, I used the road myself for my employment in the oil fields, rock hounding and recreation.

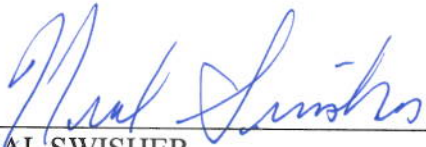


6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus, livestock operations, oil and gas exploration and development, prospecting for minerals and sightseeing.

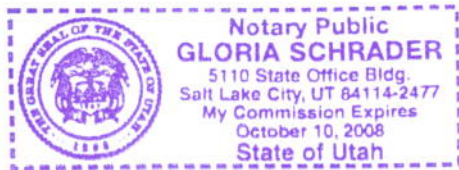
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

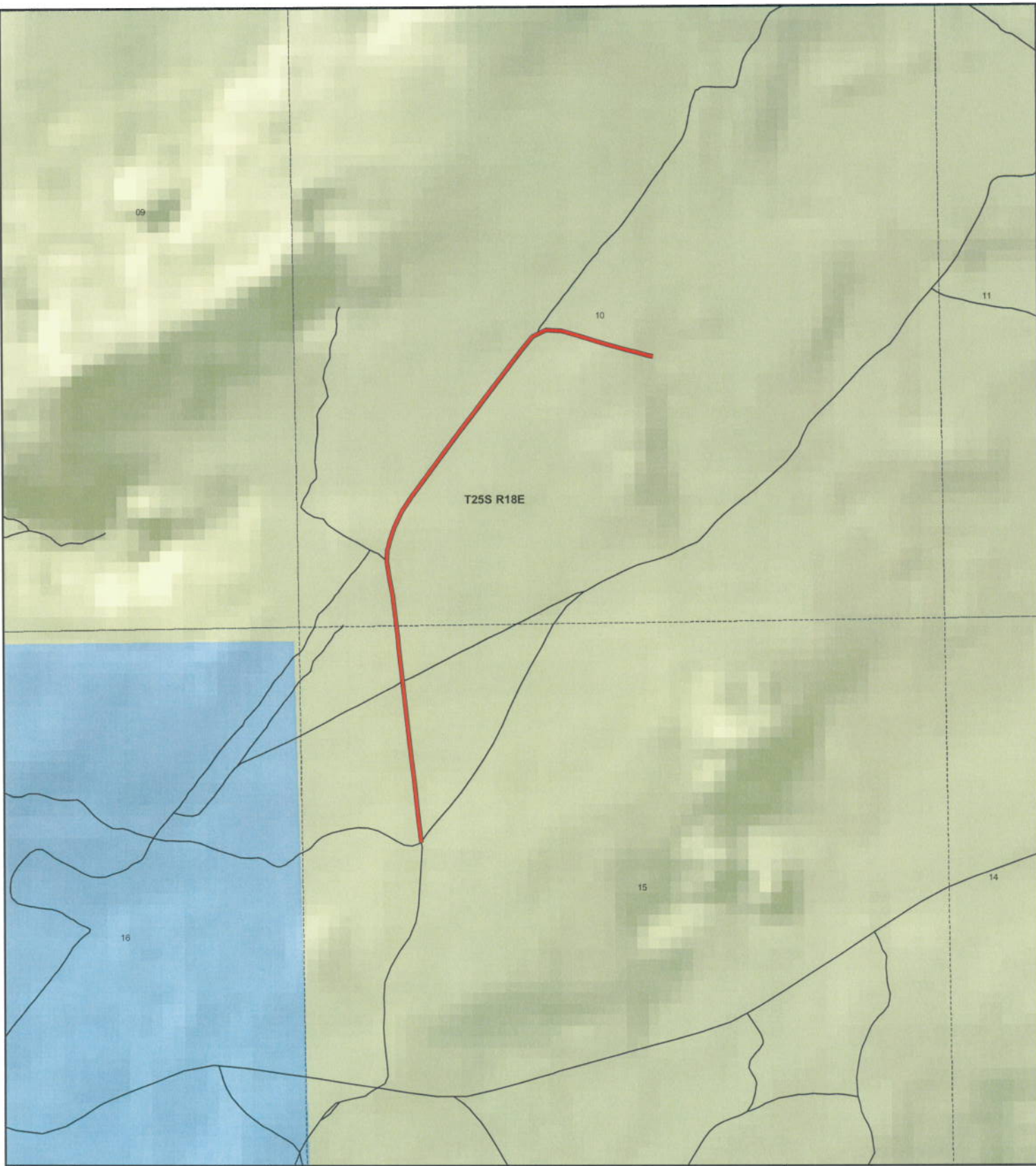
DATED this 1 day of August, 2007.

  
NEAL SWISHER

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



  
NOTARY PUBLIC



T25S R18E



**Spring Canyon Well  
County Unique - 00362**

**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**

- Spring Canyon Well
- State / U.S. Highway
- Local Roads

**Misc**

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



1:12,627  
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 JERRY McNEELY**

**SPRING CANYON WELL ROAD**

**GRAND COUNTY, UTAH**

**ROAD NUMBER 00362**

State of Utah                    )  
  : ss.  
County of Grand                )

JERRY McNEELY, 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 Moab, Grand County, Utah. I have lived in Grand County since 1945. My Great-Grandfather settled in the Moab Valley in the late 1800s. I have been a Grand County Council member since 2001.

2. I have traveled and am familiar with a road in Grand County known as Spring Canyon Well 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 2004 when I last observed it. Attached is a Grand County map showing Spring Canyon Well 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 2004. Throughout this time period I observed travel on the road by means of jeeps, pickup trucks, oil field equipment and ATVs. During this time period, the road was used daily for more than ten continuous years prior to 1976 and was so used in 2004.

5. Throughout the time period from the early 1960s to 2004, I used the road myself for my employment with a land surveyor, hunting and recreation.

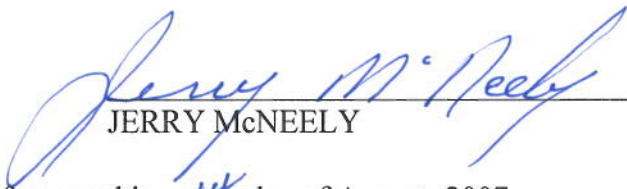


6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus, livestock operations, wood gathering, prospecting for minerals, mining, oil and gas exploration and development and sightseeing.

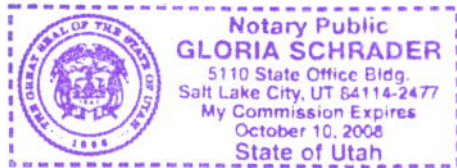
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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.

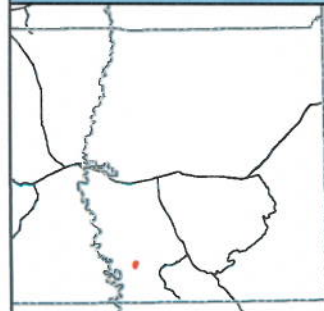
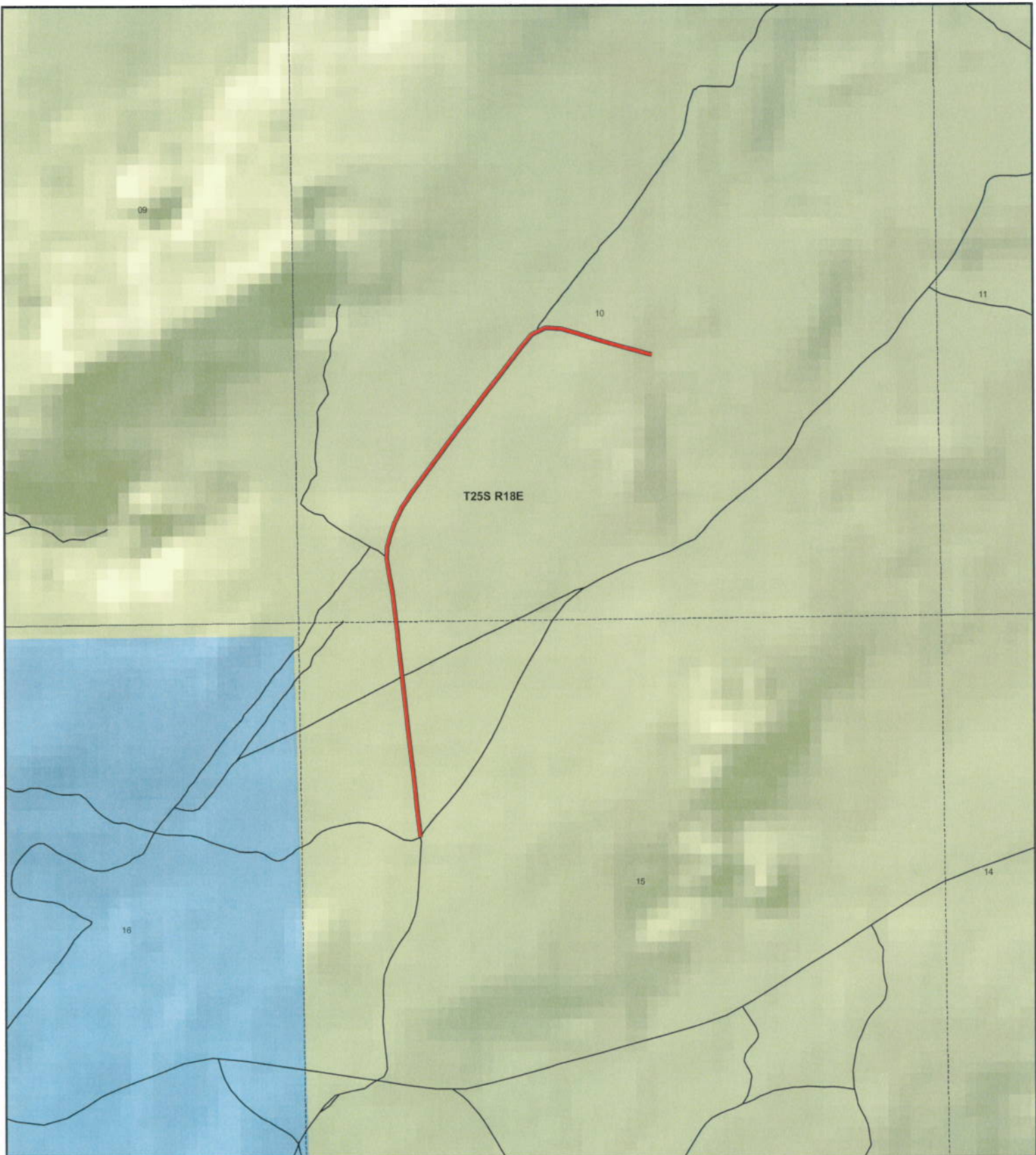
DATED this 1 day of August, 2007.

  
\_\_\_\_\_  
JERRY McNEELY

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



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



**Spring Canyon Well  
County Unique - 00362**

**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**

- Spring Canyon Well
- State / U.S. Highway
- Local Roads

**Misc**

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



1:12,627  
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: SPRING CANYON WELL ROAD**  
**County: Grand**  
**County Road Number: 00362**  
**State Geographic Information Database (SGID) Road Identification Number: RD100186.**  
**Road-Segment Number: 001**  
**Road-Segment Length: 1.05 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 25 South Range 18 East, Section(s) 10,15, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (SPRING CANYON WELL 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 37 minutes 56.89 seconds North Latitude and -109 degrees 55 minutes 36.36 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,089,873.8 feet and Y = 6,674,581.8 feet; thence the following courses along the said road center line:

thence North 02 Degrees 23 Minutes 58 Seconds West 16.4 feet  
thence North 06 Degrees 45 Minutes 23 Seconds West 66.1 feet  
thence North 06 Degrees 27 Minutes 11 Seconds West 92.4 feet  
thence North 06 Degrees 56 Minutes 26 Seconds West 109 feet  
thence North 06 Degrees 40 Minutes 40 Seconds West 118.9 feet  
thence North 06 Degrees 46 Minutes 18 Seconds West 137.1 feet  
thence North 06 Degrees 52 Minutes 03 Seconds West 155.3 feet  
thence North 06 Degrees 42 Minutes 30 Seconds West 170.1 feet  
thence North 06 Degrees 40 Minutes 23 Seconds West 176.7 feet  
thence North 06 Degrees 16 Minutes 45 Seconds West 178.2 feet  
thence North 06 Degrees 54 Minutes 40 Seconds West 104.1 feet



thence North 07 Degrees 07 Minutes 44 Seconds West 72.7 feet  
thence North 06 Degrees 26 Minutes 00 Seconds West 170 feet  
thence North 05 Degrees 29 Minutes 15 Seconds West 130.2 feet  
thence North 07 Degrees 30 Minutes 10 Seconds West 23.2 feet  
thence North 09 Degrees 08 Minutes 54 Seconds West 6.6 feet  
thence North 07 Degrees 27 Minutes 45 Seconds West 43.4 feet  
thence North 07 Degrees 26 Minutes 11 Seconds West 17.8 feet  
thence North 07 Degrees 35 Minutes 14 Seconds West 100.9 feet  
thence North 07 Degrees 22 Minutes 40 Seconds West 132.3 feet  
thence North 09 Degrees 33 Minutes 22 Seconds West 144.6 feet  
thence North 09 Degrees 15 Minutes 21 Seconds West 129.6 feet  
thence North 00 Degrees 20 Minutes 15 Seconds West 21.3 feet  
thence North 02 Degrees 06 Minutes 59 Seconds East 57.5 feet  
thence North 06 Degrees 42 Minutes 37 Seconds East 18.2 feet  
thence North 13 Degrees 09 Minutes 29 Seconds East 18.6 feet  
thence North 16 Degrees 33 Minutes 37 Seconds East 63.5 feet  
thence North 17 Degrees 06 Minutes 58 Seconds East 117 feet  
thence North 25 Degrees 38 Minutes 12 Seconds East 142.4 feet  
thence North 33 Degrees 37 Minutes 59 Seconds East 152.4 feet  
thence North 36 Degrees 17 Minutes 41 Seconds East 161.6 feet  
thence North 35 Degrees 31 Minutes 50 Seconds East 160 feet  
thence North 36 Degrees 28 Minutes 52 Seconds East 161.9 feet  
thence North 35 Degrees 48 Minutes 19 Seconds East 168.7 feet  
thence North 36 Degrees 45 Minutes 18 Seconds East 168.7 feet  
thence North 37 Degrees 26 Minutes 17 Seconds East 166.1 feet  
thence North 37 Degrees 10 Minutes 53 Seconds East 173.8 feet  
thence North 37 Degrees 21 Minutes 49 Seconds East 170.1 feet  
thence North 36 Degrees 42 Minutes 37 Seconds East 152.2 feet  
thence North 40 Degrees 00 Minutes 59 Seconds East 137.8 feet  
thence North 63 Degrees 11 Minutes 42 Seconds East 51.6 feet  
thence North 62 Degrees 26 Minutes 27 Seconds East 71.8 feet  
thence South 86 Degrees 37 Minutes 20 Seconds East 126.6 feet  
thence South 73 Degrees 24 Minutes 20 Seconds East 140.9 feet  
thence South 73 Degrees 28 Minutes 45 Seconds East 141.5 feet  
thence South 74 Degrees 35 Minutes 11 Seconds East 133 feet  
thence South 74 Degrees 34 Minutes 17 Seconds East 126.8 feet  
thence South 74 Degrees 51 Minutes 32 Seconds East 110.7 feet  
thence South 75 Degrees 47 Minutes 48 Seconds East 85 feet

thence South 80 Degrees 19 Minutes 05 Seconds East 37.7 feet more or less to **the ending point at:** 38 degrees 38 minutes 035.7 seconds North Latitude and -109 degrees 55 minutes 11.75 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,091,756.8 feet and Y = 6,678,541.4 feet.