

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

Ent 486475 Bk 732 Pg 106 -118
Date: 27-MAY-2008 3:35PM
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 DEAD HORSES WELL ROAD; County Road Number: 00363; State Geographic Information Database (SGID) Road Identification Number: RD100187. Total road length is 0.66 miles more or less.

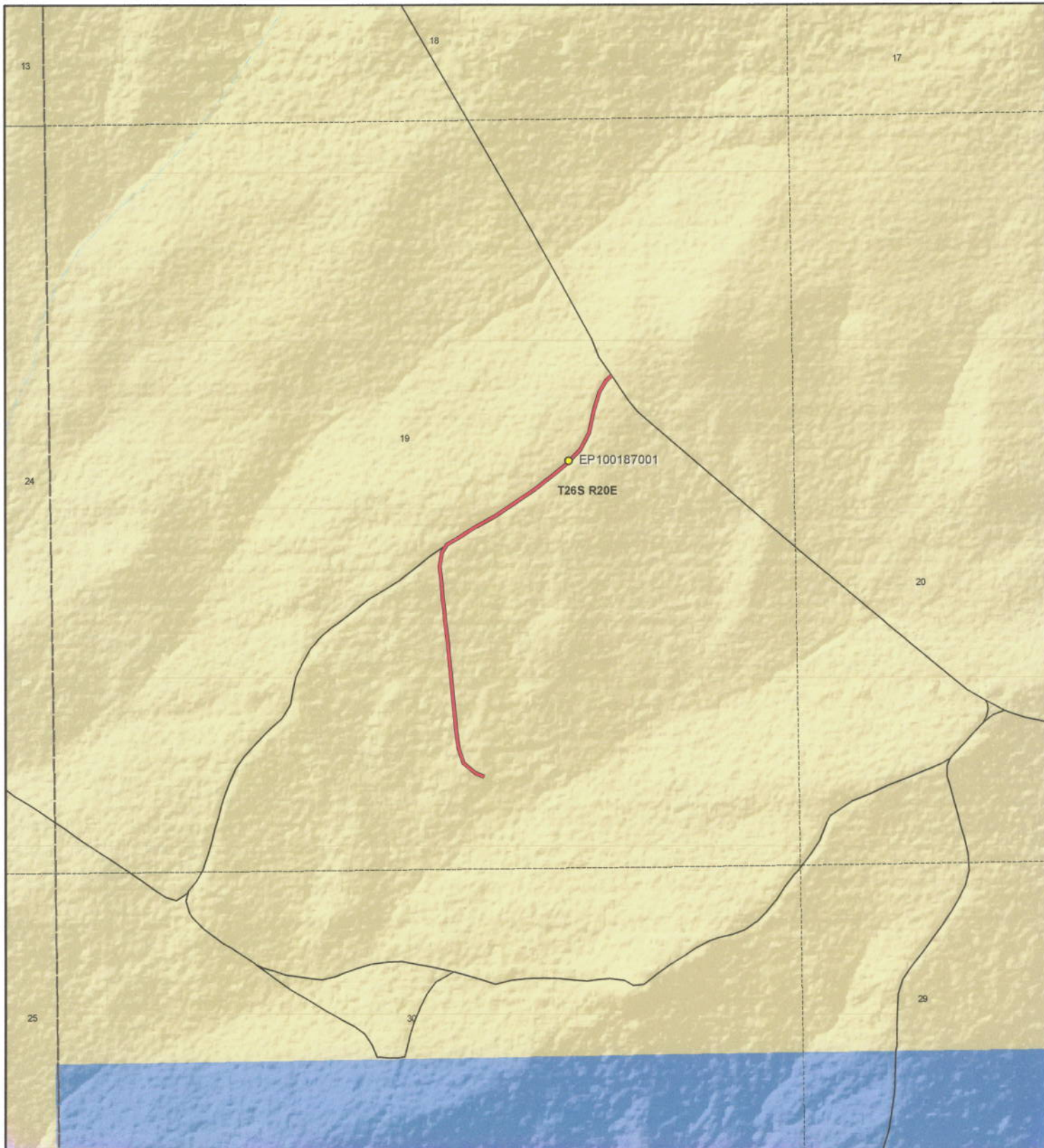
The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) 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



Dead Horses Well Road - Grand County
SGID RD_ID RD100187

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

- Dead Horses Well Road
- Title V: Issued Or Under Consideration By BLM Or County
- Other Roads
- Photo Event Point
- Section = 1 Mile



1:11,013
1 inch equals 0.2 miles



Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Apr 10, 2008



Attachment 2



EP100187001

EP000000000

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EP000000000

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Ent 486475 Bk 0732 Pg 0109

Dead Horses Well Road - Grand County
SGID RD_ID RD100187

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: DEAD HORSES WELL ROAD

County: Grand

County Road Number: 00363

State Geographic Information Database (SGID) Road Identification Number: RD100187.

Total Road Length: 0.66 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 31 minutes 17.14 seconds North Latitude and -109 degrees 45 minutes 12.49 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,140,166.2 feet and Y = 6,635,061.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 31 minutes 45 seconds North Latitude and -109 degrees 45 minutes 00.68 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,141,049.6 feet and Y = 6,637,897.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 26 South Range 20 East, Section(s) 19, 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: DEAD HORSES WELL ROAD

County: Grand

County Road Number: 00363

State Geographic Information Database (SGID) Road Identification Number: RD100187.

Total Road Length: 0.66 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
RD100187	001	BLM	0.66 Miles	A
		Total Road Length	0.66	_____

* 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 RAYMOND M. TIBBETTS

DEAD HORSES WELL ROAD

COUNTY ROAD NUMBER 00363

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 Dead Horses Well 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 2006 when I last observed it. Attached is a Grand County map showing Dead Horses 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. 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 2006. Throughout this time period I have observed travel on the road by

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 2007.

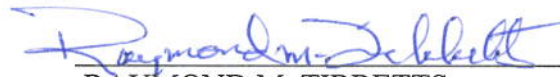
4. Throughout the time period from the early 1950s to 2007, I have used the road myself for hunting, law enforcement, arrow head hunting and recreation.

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

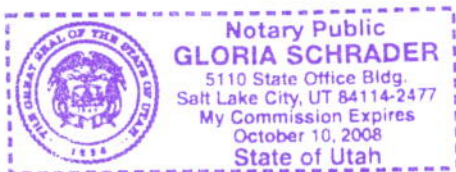
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

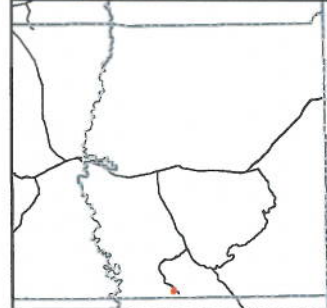
Dated this 1 day of August, 2007.


RAYMOND M. TIBBETTS

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




NOTARY PUBLIC



**Dead Horses Well
County Unique - 00363**

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

- Dead Horses Well
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile



1:10,836
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

DEAD HORSES WELL ROAD

GRAND COUNTY, UTAH

ROAD NUMBER 00363

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 Dead Horses 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 2000 when I last observed it. Attached is a Grand County map showing Dead Horses 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 2000. 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 2000.

5. Throughout the time period from the early 1960s to 2000, 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.

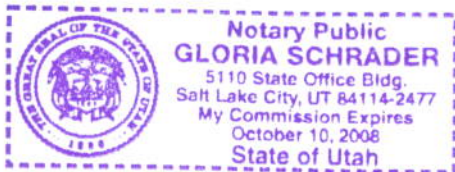
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

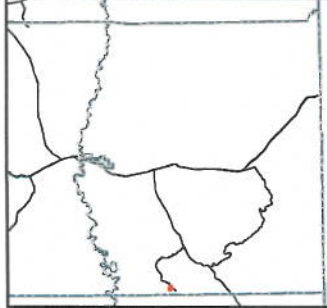
DATED this 1 day of August, 2007.


JERRY McNEELY

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




NOTARY PUBLIC



**Dead Horses Well
County Unique - 00363**

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

- Dead Horses Well
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile



1:10,836
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: DEAD HORSES WELL ROAD

County: Grand

County Road Number: 00363

State Geographic Information Database (SGID) Road Identification Number: RD100187.

Road-Segment Number: 001

Road-Segment Length: 0.66 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 26 South Range 20 East, Section(s) 19, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (DEAD HORSES 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 31 minutes 17.14 seconds North Latitude and -109 degrees 45 minutes 12.49 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,140,166.2 feet and Y = 6,635,061.7 feet; thence the following courses along the said road center line:

thence North 69 Degrees 01 Minutes 28 Seconds West 72.2 feet
thence North 48 Degrees 46 Minutes 56 Seconds West 106.4 feet
thence North 18 Degrees 36 Minutes 46 Seconds West 115.8 feet
thence North 07 Degrees 34 Minutes 16 Seconds West 125.7 feet
thence North 06 Degrees 05 Minutes 38 Seconds West 136.9 feet
thence North 05 Degrees 48 Minutes 52 Seconds West 133.5 feet
thence North 05 Degrees 41 Minutes 39 Seconds West 125.3 feet
thence North 06 Degrees 07 Minutes 46 Seconds West 122.1 feet
thence North 05 Degrees 33 Minutes 58 Seconds West 103.8 feet
thence North 07 Degrees 06 Minutes 35 Seconds West 99.2 feet
thence North 07 Degrees 03 Minutes 34 Seconds West 59.5 feet

thence North 26 Degrees 54 Minutes 26 Seconds West 1.8 feet
 thence North 05 Degrees 14 Minutes 28 Seconds West 57.6 feet
 thence North 06 Degrees 14 Minutes 54 Seconds West 95.7 feet
 thence North 06 Degrees 02 Minutes 06 Seconds West 105.6 feet
 thence North 05 Degrees 54 Minutes 09 Seconds West 112.1 feet
 thence North 07 Degrees 55 Minutes 18 Seconds East 101.2 feet
 thence North 32 Degrees 28 Minutes 47 Seconds East 62.5 feet
 thence North 57 Degrees 58 Minutes 16 Seconds East 6.2 feet
 thence North 57 Degrees 26 Minutes 11 Seconds East 9.2 feet
 thence North 57 Degrees 32 Minutes 54 Seconds East 86.4 feet
 thence North 57 Degrees 35 Minutes 01 Seconds East 145.3 feet
 thence North 59 Degrees 32 Minutes 18 Seconds East 157 feet
 thence North 57 Degrees 07 Minutes 42 Seconds East 146.5 feet
 thence North 55 Degrees 33 Minutes 11 Seconds East 125.9 feet
 thence North 52 Degrees 54 Minutes 11 Seconds East 104.2 feet
 thence North 50 Degrees 53 Minutes 23 Seconds East 70.8 feet
 thence North 89 Degrees 39 Minutes 27 Seconds East 1 feet
 thence North 53 Degrees 43 Minutes 45 Seconds East 5.6 feet
 thence North 50 Degrees 26 Minutes 54 Seconds East 54.5 feet
 thence North 50 Degrees 37 Minutes 07 Seconds East 114.6 feet
 thence North 43 Degrees 18 Minutes 32 Seconds East 136.1 feet
 thence North 27 Degrees 10 Minutes 00 Seconds East 144.3 feet
 thence North 11 Degrees 16 Minutes 24 Seconds East 150.8 feet
 thence North 17 Degrees 31 Minutes 39 Seconds East 143.1 feet
 thence North 29 Degrees 50 Minutes 29 Seconds East 93 feet
 thence North 47 Degrees 32 Minutes 20 Seconds East 48.9 feet more or less to **the ending**

point at: 38 degrees 31 minutes 45 seconds North Latitude and -109 degrees 45 minutes 00.68 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,141,049.6 feet and Y = 6,637,897.9 feet.