

Ent 103125 Bk 893 Pg 817 -829
Date: 29-MAY-2008 2:05PM
Fee: None
Filed By: LCJ
LOUISE JONES, Recorder
SAN JUAN COUNTY CORPORATION
For: GOVERNOR STATE OF UTAH

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

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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 San Juan County as it pertains to the highway located in San Juan County known as NOKAI WASH ROAD; County Road Number: B2131; State Geographic Information Database (SGID) Road Identification Number: RD190179. Total road length is 1.89 miles more or less.

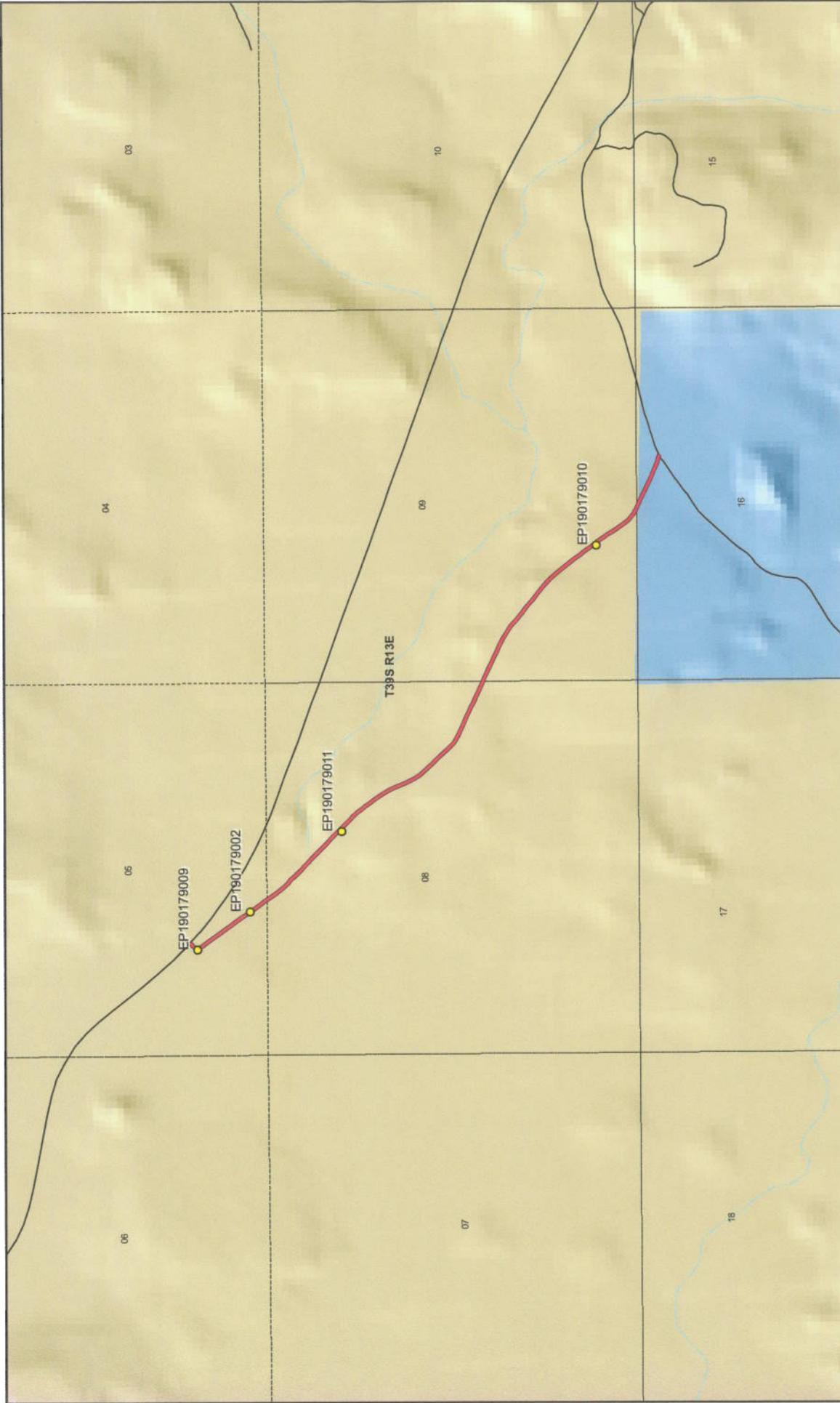
The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a)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



Map prepared by the State of Utah
 Public Lands Office and Center
 Room 3300 State Office Building
 Salt Lake City, Utah, 84114
 Apr 02, 2008

NOKAI WASH ROAD - San Juan County
SGID RD_ID RD190179

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

- NOKAI WASH ROAD
- Other Roads
- Title V: Issued Or Under Consideration By BLM Or County
- Photo Event Point
- Section = 1 Mile

1:22,679
 1 inch equals 0.4 miles

Attachment 2



EP190179002



EP190179009



EP190179010



EP190179011

EP000000000

EP000000000

NOKAI WASH ROAD - San Juan County
SGID RD_ID RD190179



Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
April 11, 2008



Attachment 3

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: NOKAI WASH ROAD

County: San Juan

County Road Number: B2131

State Geographic Information Database (SGID) Road Identification Number: RD190179.

Total Road Length: 1.89 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 25 minutes 16.27 seconds North Latitude and -110 degrees 30 minutes 18.82 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,929,298.7 feet and Y = 10,118,769.3 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 24 minutes 10.04 seconds North Latitude and -110 degrees 28 minutes 53.63 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,936,243.1 feet and Y = 10,112,145.5 feet based on the US Survey Foot conversion.

This road may traverse:

Township 39 South Range 13 East, Section(s) 5,8,9,16, 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: NOKAI WASH ROAD

County: San Juan

County Road Number: B2131

State Geographic Information Database (SGID) Road Identification Number: RD190179.

Total Road Length: 1.89 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
RD190179	001	BLM	1.73 Miles	A
RD190179	002	ST	0.15 Miles	(not shown)
		Total Road Length	1.89	_____

* 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 ALBERT E. STEELE

NOKAI WASH ROAD

SAN JUAN COUNTY, UTAH

COUNTY ROAD NUMBER B2131

State of Utah)
 : ss
County of San Juan)

Albert E. Steele, 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 San Juan County, Utah. I have lived in San Juan County for 60 years.

2. I have traveled and am familiar with a road in San Juan County known as Nokai Wash Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1960, it followed the same route as in 2002, when I last observed it. Attached is a San Juan County map showing Nokai Wash 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 the County identifies this road according to the road number described 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 1960 and continuing through 1976 to 2002. Throughout this time period I have observed travel on the road by various means, including: pickup, automobile, other truck, and jeep. Throughout this time period, the road was used weekly for more than 10 continuous years prior to 1976 and was used weekly in 2002.

5. Throughout the time period from 1960 to 2002, I have used the road myself for the following uses: predator control and recreation.

6. 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 the following uses: livestock operations, hunting, tourism, archeology, mineral prospecting, oil and gas exploration, and traveling in and through the area.

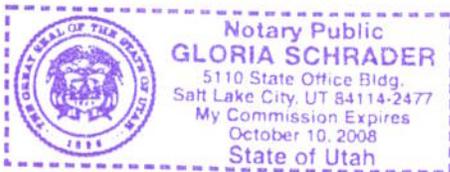
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the graded surface prior to 1976.

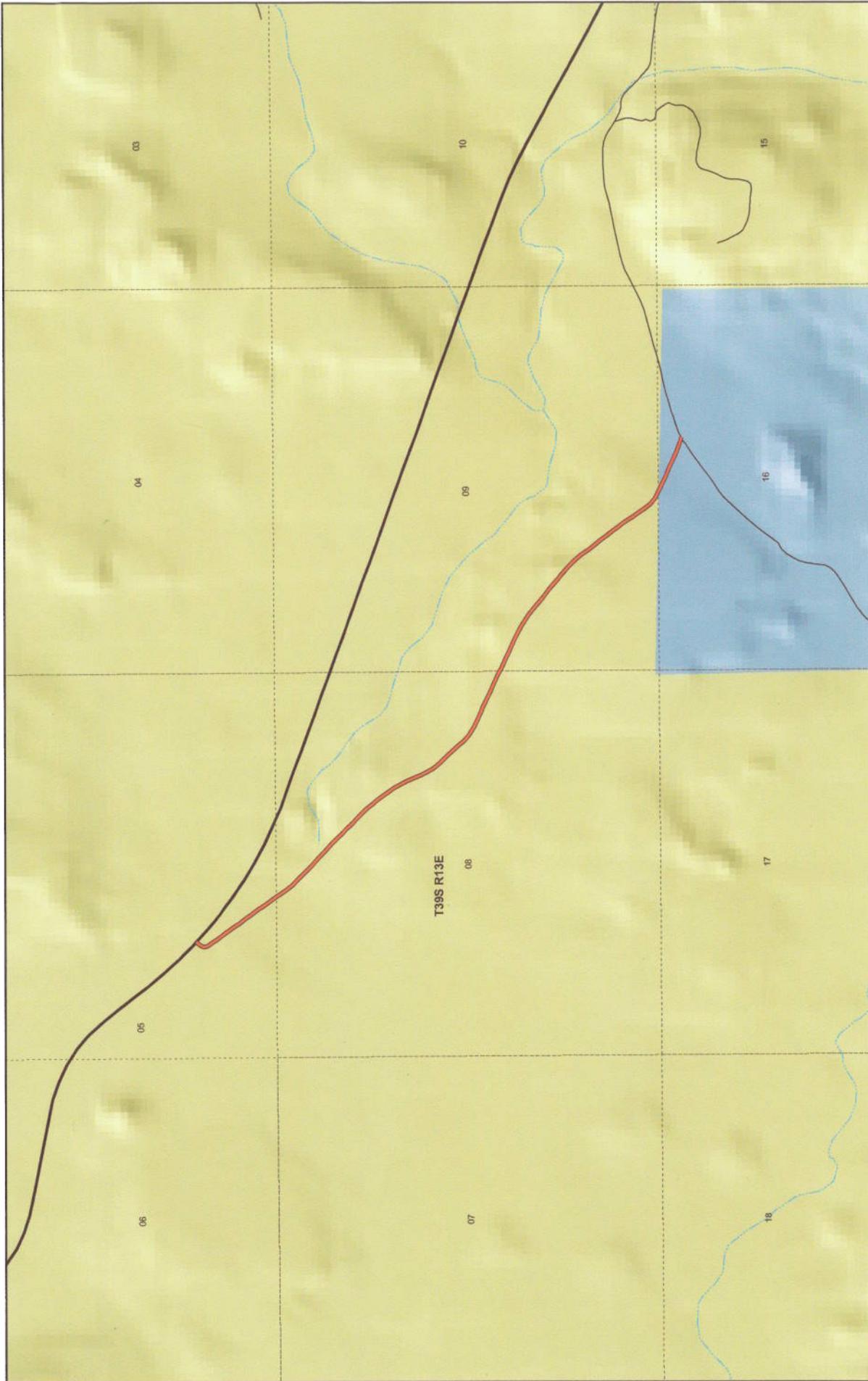
Dated this 15th day of September, 2007.

Albert E. Steele
Albert E. Steele

SUBSCRIBED AND SWORN TO before me this 18th day of September, 2007.



Gloria Schrader
Notary Public



NOKAI WASH
County Unique - B2131



1:21,640
1 inch equals 0.3 miles
Jul 25, 2007

Transportation Network

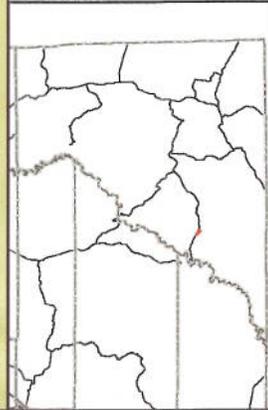
-  NOKAI WASH
-  State / U.S. Highway
-  Local Roads

Misc

-  City / Town
-  Municipalities
-  Section = 1 Mile

Land Ownership Categories

-  BLM
-  National Recreation Area
-  SITLA, State Trust Land
-  USFS, National Forest
-  National Parks & Monuments (NPS)
-  Private
-  Wilderness
-  State Park
-  Tribal Lands



AFFIDAVIT OF KENNETH ROBERT CHRISTENSEN

NOKAI WASH ROAD

SAN JUAN COUNTY, UTAH

COUNTY ROAD NUMBER B2131

State of Utah)
 : ss
County of San Juan)

Kenneth Robert Christensen, 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 San Juan County, Utah. I have lived in San Juan County since 1929.

2. I have traveled and am familiar with a road in San Juan County known as Nokai Wash 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 1994, when I last observed it. Attached is a San Juan County map showing Nokai Wash 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 the County identifies this road according to the road number described 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 1976 to 1994. Throughout this time period I have observed travel on the road by various means, including: pickup, horse and jeep. Throughout this time period, the road has been used seasonally for more than 10 continuous years prior to 1976, and is was used seasonally in 1994.

5. Throughout the time period from the early 1960s to 1994, I have used the road myself for the following uses: range studies with the BLM, sight-seeing and recreation.

6. 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 the following uses: livestock operations.

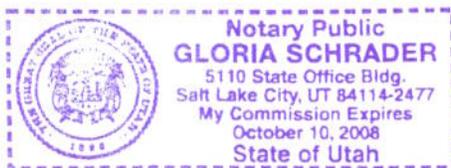
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of construction and maintenance performed on the road prior to 1976: I observed the graded surface of the road.

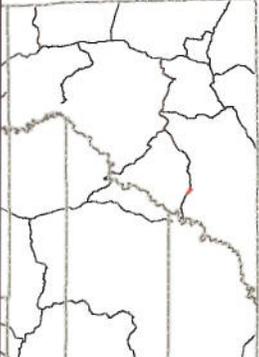
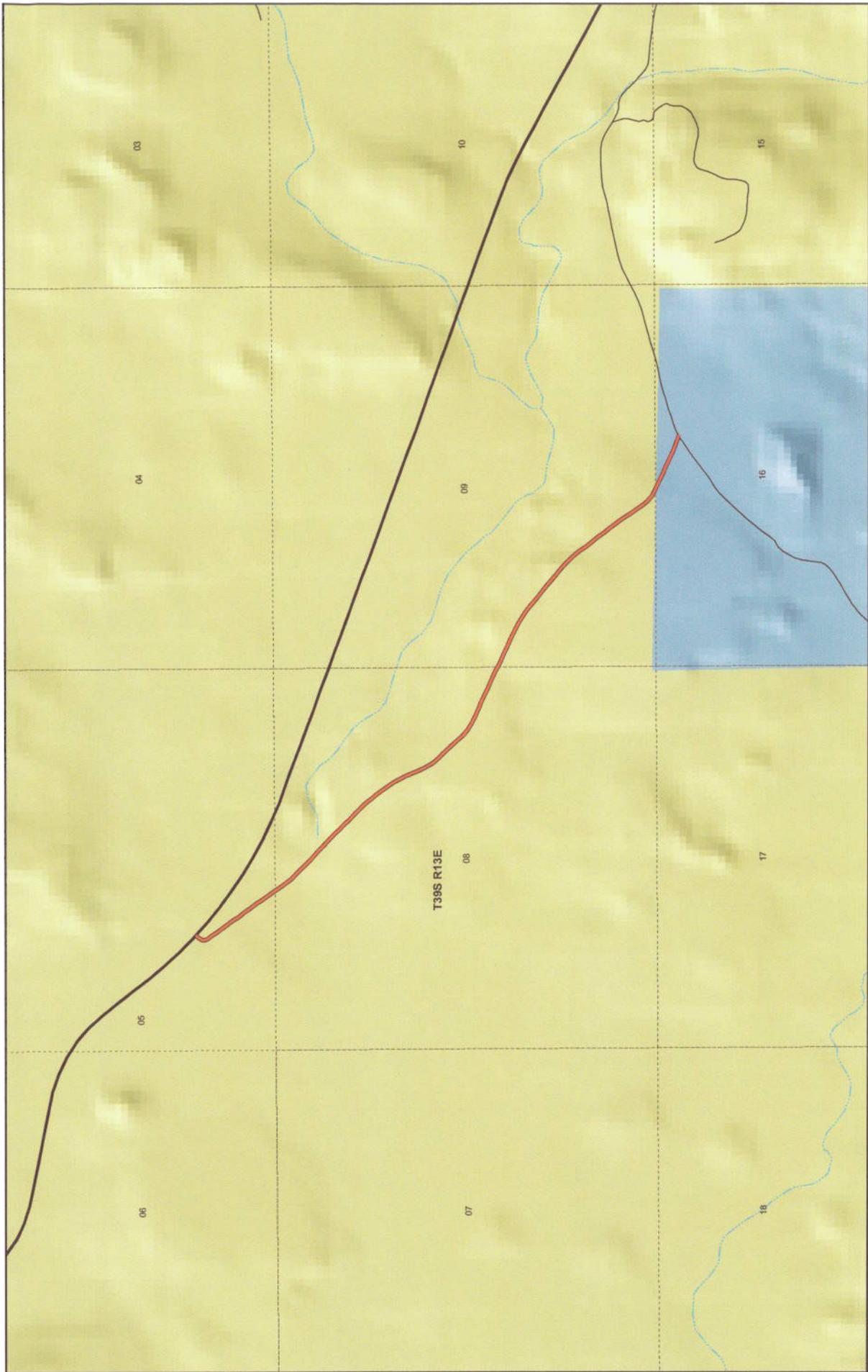
Dated this 18 day of September, 2007.


Kenneth Robert Christensen

SUBSCRIBED AND SWORN TO before me this 18th day of September, 2007.




Notary Public



NOKAI WASH
County Unique - B2131

- Land Ownership Categories**
- BLM
 - National Recreation Area
 - SITLA, State Trust Land
 - USFS, National Forest
 - National Parks & Monuments (NPS)
- Misc**
- City / Town
 - Municipalities
 - Section = 1 Mile
- Private**
- Wilderness
 - State Park
 - Tribal Lands
- Transportation Network**
- NOKAI WASH
 - State / U.S. Highway
 - Local Roads



1:21,640
1 inch equals 0.3 miles
JUL 25, 2007

Appendix A to Attachment 4

Popular Name: NOKAI WASH ROAD

County: San Juan

County Road Number: B2131

State Geographic Information Database (SGID) Road Identification Number: RD190179.

Road-Segment Number: 001

Road-Segment Length: 1.73 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 39 South Range 13 East, Section(s) 5,8,9,16, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (NOKAI WASH 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 37 degrees 25 minutes 16.27 seconds North Latitude and -110 degrees 30 minutes 18.82 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,929,298.7 feet and Y = 10,118,769.3 feet; thence the following courses along the said road center line:

thence South 41 Degrees 04 Minutes 57 Seconds West 25.8 feet
thence South 43 Degrees 46 Minutes 54 Seconds West 43.9 feet
thence South 26 Degrees 15 Minutes 22 Seconds West 54.3 feet
thence South 14 Degrees 25 Minutes 25 Seconds East 57.9 feet
thence South 35 Degrees 24 Minutes 16 Seconds East 74.2 feet
thence South 36 Degrees 07 Minutes 36 Seconds East 85.8 feet
thence South 35 Degrees 41 Minutes 56 Seconds East 89 feet
thence South 35 Degrees 30 Minutes 22 Seconds East 90 feet
thence South 36 Degrees 01 Minutes 50 Seconds East 95 feet
thence South 35 Degrees 31 Minutes 02 Seconds East 99.6 feet
thence South 36 Degrees 08 Minutes 47 Seconds East 102 feet

thence South 35 Degrees 49 Minutes 26 Seconds East 97.2 feet
 thence South 36 Degrees 16 Minutes 09 Seconds East 82.7 feet
 thence South 36 Degrees 11 Minutes 27 Seconds East 57.1 feet
 thence South 36 Degrees 14 Minutes 14 Seconds East 28 feet
 thence South 35 Degrees 27 Minutes 46 Seconds East 57 feet
 thence South 34 Degrees 43 Minutes 51 Seconds East 78.4 feet
 thence South 35 Degrees 06 Minutes 38 Seconds East 89.1 feet
 thence South 36 Degrees 17 Minutes 01 Seconds East 29 feet
 thence South 36 Degrees 16 Minutes 35 Seconds East 67.1 feet
 thence South 35 Degrees 39 Minutes 25 Seconds East 103.8 feet
 thence South 38 Degrees 31 Minutes 32 Seconds East 106.1 feet
 thence South 44 Degrees 38 Minutes 16 Seconds East 99.1 feet
 thence South 48 Degrees 26 Minutes 15 Seconds East 72.3 feet
 thence South 43 Degrees 20 Minutes 02 Seconds East 40.4 feet
 thence South 45 Degrees 18 Minutes 31 Seconds East 26.5 feet
 thence South 43 Degrees 54 Minutes 42 Seconds East 38.1 feet
 thence South 45 Degrees 38 Minutes 52 Seconds East 39.2 feet
 thence South 47 Degrees 46 Minutes 28 Seconds East 48.5 feet
 thence South 48 Degrees 12 Minutes 45 Seconds East 64.1 feet
 thence South 47 Degrees 45 Minutes 10 Seconds East 76.2 feet
 thence South 47 Degrees 02 Minutes 06 Seconds East 84.7 feet
 thence South 46 Degrees 41 Minutes 33 Seconds East 96.1 feet
 thence South 46 Degrees 15 Minutes 25 Seconds East 98.2 feet
 thence South 45 Degrees 09 Minutes 57 Seconds East 93.1 feet
 thence South 45 Degrees 45 Minutes 53 Seconds East 87.5 feet
 thence South 45 Degrees 37 Minutes 00 Seconds East 86.3 feet
 thence South 45 Degrees 35 Minutes 59 Seconds East 91.4 feet
 thence South 45 Degrees 59 Minutes 21 Seconds East 97.7 feet
 thence South 46 Degrees 01 Minutes 23 Seconds East 93.1 feet
 thence South 46 Degrees 17 Minutes 47 Seconds East 53.8 feet
 thence South 46 Degrees 51 Minutes 25 Seconds East 25.8 feet
 thence South 42 Degrees 46 Minutes 58 Seconds East 31.6 feet
 thence South 39 Degrees 26 Minutes 21 Seconds East 49.9 feet
 thence South 38 Degrees 47 Minutes 20 Seconds East 65.4 feet
 thence South 37 Degrees 22 Minutes 09 Seconds East 79 feet
 thence South 37 Degrees 00 Minutes 42 Seconds East 90.1 feet
 thence South 37 Degrees 47 Minutes 58 Seconds East 103 feet
 thence South 34 Degrees 08 Minutes 56 Seconds East 104.3 feet
 thence South 28 Degrees 20 Minutes 10 Seconds East 97.8 feet
 thence South 26 Degrees 31 Minutes 03 Seconds East 94.4 feet
 thence South 24 Degrees 47 Minutes 06 Seconds East 96.6 feet
 thence South 23 Degrees 08 Minutes 33 Seconds East 108.3 feet
 thence South 24 Degrees 42 Minutes 30 Seconds East 104.9 feet
 thence South 31 Degrees 25 Minutes 32 Seconds East 105.4 feet
 thence South 41 Degrees 11 Minutes 19 Seconds East 109.8 feet
 thence South 44 Degrees 56 Minutes 32 Seconds East 108.8 feet
 thence South 43 Degrees 37 Minutes 01 Seconds East 110 feet
 thence South 42 Degrees 36 Minutes 57 Seconds East 113.6 feet
 thence South 42 Degrees 03 Minutes 06 Seconds East 114.4 feet

thence South 47 Degrees 21 Minutes 31 Seconds East 110.3 feet
 thence South 58 Degrees 45 Minutes 18 Seconds East 114.8 feet
 thence South 66 Degrees 16 Minutes 00 Seconds East 120 feet
 thence South 66 Degrees 31 Minutes 36 Seconds East 84.6 feet
 thence South 66 Degrees 49 Minutes 39 Seconds East 43.7 feet
 thence South 65 Degrees 03 Minutes 20 Seconds East 19.2 feet
 thence South 66 Degrees 12 Minutes 24 Seconds East 41 feet
 thence South 65 Degrees 53 Minutes 23 Seconds East 62.7 feet
 thence South 65 Degrees 27 Minutes 59 Seconds East 78.1 feet
 thence South 65 Degrees 34 Minutes 44 Seconds East 87.1 feet
 thence South 65 Degrees 52 Minutes 58 Seconds East 86.5 feet
 thence South 65 Degrees 39 Minutes 24 Seconds East 74.7 feet
 thence South 65 Degrees 57 Minutes 41 Seconds East 64.5 feet
 thence South 65 Degrees 30 Minutes 45 Seconds East 61.8 feet
 thence South 65 Degrees 23 Minutes 06 Seconds East 25.6 feet
 thence South 65 Degrees 20 Minutes 36 Seconds East 42.1 feet
 thence South 65 Degrees 22 Minutes 49 Seconds East 77.1 feet
 thence South 65 Degrees 31 Minutes 06 Seconds East 85.3 feet
 thence South 65 Degrees 33 Minutes 49 Seconds East 87.8 feet
 thence South 65 Degrees 22 Minutes 10 Seconds East 88 feet
 thence South 65 Degrees 15 Minutes 13 Seconds East 89.1 feet
 thence South 65 Degrees 01 Minutes 15 Seconds East 92.2 feet
 thence South 63 Degrees 39 Minutes 27 Seconds East 97.3 feet
 thence South 60 Degrees 29 Minutes 47 Seconds East 103.6 feet
 thence South 55 Degrees 40 Minutes 04 Seconds East 109.7 feet
 thence South 51 Degrees 20 Minutes 32 Seconds East 114.8 feet
 thence South 50 Degrees 48 Minutes 04 Seconds East 121.2 feet
 thence South 50 Degrees 45 Minutes 15 Seconds East 124.7 feet
 thence South 50 Degrees 54 Minutes 59 Seconds East 128.3 feet
 thence South 50 Degrees 43 Minutes 15 Seconds East 132.9 feet
 thence South 50 Degrees 20 Minutes 34 Seconds East 134.9 feet
 thence South 49 Degrees 10 Minutes 48 Seconds East 123.7 feet
 thence South 43 Degrees 59 Minutes 56 Seconds East 111.7 feet
 thence South 38 Degrees 34 Minutes 16 Seconds East 110.8 feet
 thence South 37 Degrees 23 Minutes 17 Seconds East 107.8 feet
 thence South 37 Degrees 33 Minutes 58 Seconds East 106.8 feet
 thence South 37 Degrees 31 Minutes 57 Seconds East 106.3 feet
 thence South 37 Degrees 06 Minutes 15 Seconds East 100.8 feet
 thence South 36 Degrees 53 Minutes 33 Seconds East 92 feet
 thence South 38 Degrees 29 Minutes 49 Seconds East 68.5 feet
 thence South 37 Degrees 41 Minutes 39 Seconds East 43.8 feet
 thence South 36 Degrees 33 Minutes 46 Seconds East 12.2 feet
 thence South 37 Degrees 04 Minutes 41 Seconds East 37.3 feet
 thence South 36 Degrees 01 Minutes 24 Seconds East 61.8 feet
 thence South 32 Degrees 39 Minutes 23 Seconds East 69.9 feet
 thence South 32 Degrees 57 Minutes 13 Seconds East 74.8 feet
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 thence South 35 Degrees 29 Minutes 23 Seconds East 98 feet
 thence South 37 Degrees 49 Minutes 59 Seconds East 103.5 feet

thence South 49 Degrees 02 Minutes 15 Seconds East 103.5 feet
thence South 63 Degrees 10 Minutes 20 Seconds East 98.6 feet
thence South 63 Degrees 09 Minutes 33 Seconds East 4.3 feet
thence South 66 Degrees 34 Minutes 45 Seconds East 13.9 feet more or less to **the ending**
point at: 37 degrees 24 minutes 13.16 seconds North Latitude and -110 degrees 29 minutes 02.74 seconds
West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet
coordinates of X = 1,935,504.9 feet and Y = 10,112,452.7 feet.