

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

Ent 103167 Bk 894 Pg 378-390
Date: 29-MAY-2008 4:00PM
Fee: None
Filed By: LCJ
LOUISE JONES, Recorder
SAN JUAN COUNTY CORPORATION
For: GOVERNOR 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 San Juan County as it pertains to the highway located in San Juan County known as NIELSON ROAD; County Road Number: B2451; State Geographic Information Database (SGID) Road Identification Number: RD190243. Total road length is 0.67 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 22nd day of May, 2008.

By the Governor's Designee



John Harja

CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

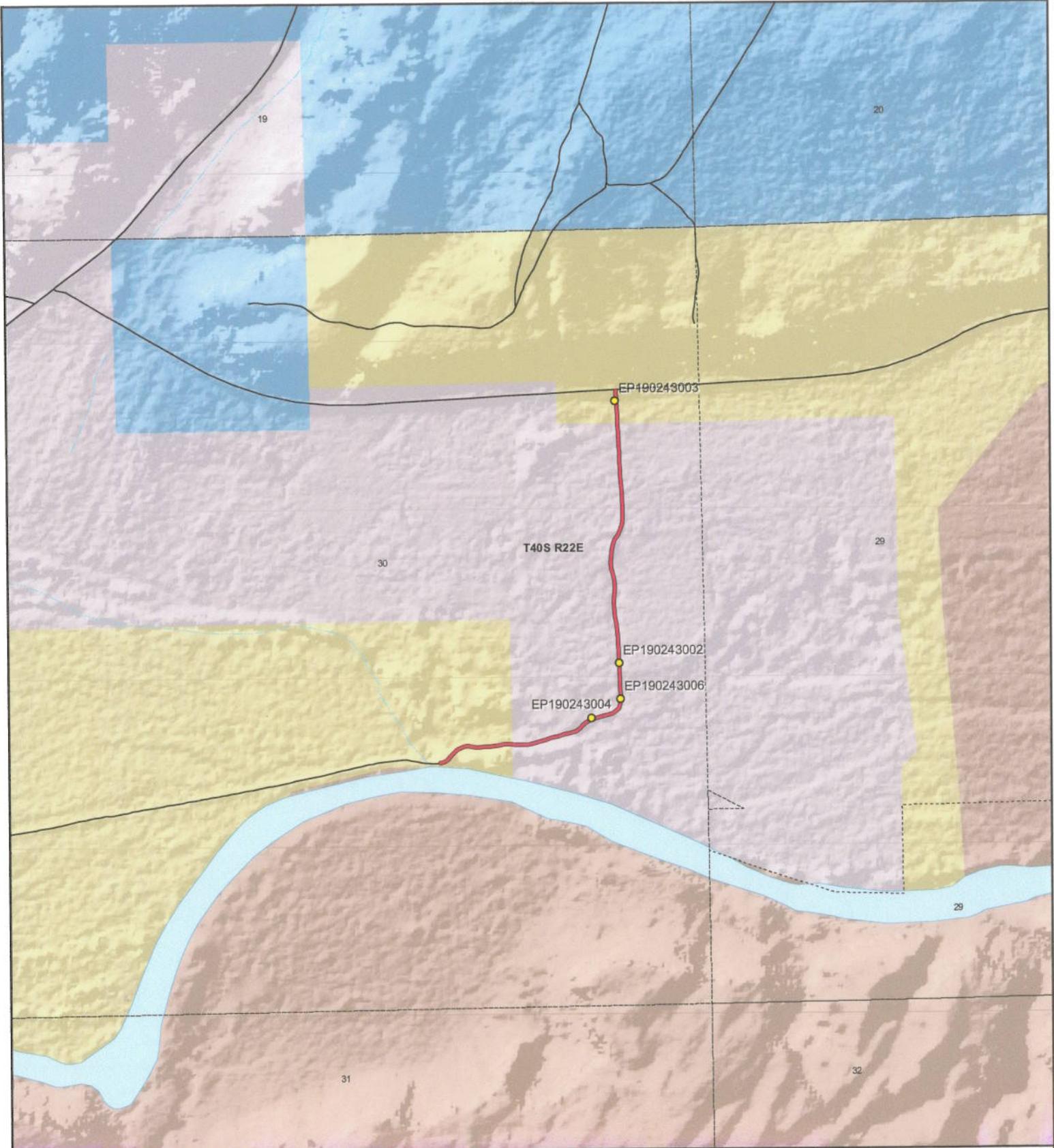
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 22nd day of May, 2008.





Notary Public



NIELSON ROAD - San Juan County
SGID RD_ID RD190243

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

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



1:10,610

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 08, 2008



Attachment 2



EP190243002



EP190243003



EP190243004



EP190243006

EP000000000

EP000000000

NIELSON ROAD - San Juan County
SGID RD_ID RD190243

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: NIELSON ROAD

County: San Juan

County Road Number: B2451

State Geographic Information Database (SGID) Road Identification Number: RD190243.

Total Road Length: 0.67 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 16 minutes 39.58 seconds North Latitude and -109 degrees 32 minutes 12.57 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,211,588.4 feet and Y = 10,070,969.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 17 minutes 04.42 seconds North Latitude and -109 degrees 31 minutes 57.03 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,212,791.5 feet and Y = 10,073,507.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 40 South Range 22 East, Section(s) 30, 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: NIELSON ROAD

County: San Juan

County Road Number: B2451

State Geographic Information Database (SGID) Road Identification Number: RD190243.

Total Road Length: 0.67 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
RD190243	001	BLM	0.1 Miles	A
RD190243	002	PVT	0.52 Miles	(not shown)
RD190243	003	BLM	0.04 Miles	B
		Total Road Length	0.67	—————

* 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 FERD E. JOHNSON

NIELSON ROAD

SAN JUAN COUNTY, UTAH

COUNTY ROAD NUMBER B2451

State of Utah)
 : ss
County of San Juan)

Ferd E. Johnson, 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 1958.

2. I have traveled and am familiar with a road in San Juan County known as Nielson 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 2004, when I last observed it. Attached is a San Juan County map showing Nielson 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 2004. Throughout this time period I have observed travel on the road by various means, including road pickups, automobiles, trucks, jeeps and ATVs. Throughout this time period, the road has been used daily.

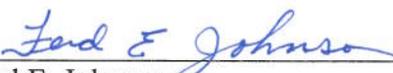
5. Throughout the time period from 1960 to 2004, I have used the road myself for the following uses: fishing access, recreation and Utah Department of Transportation work.

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: irrigation access, gravel pit access, livestock operations and government access.

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 late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

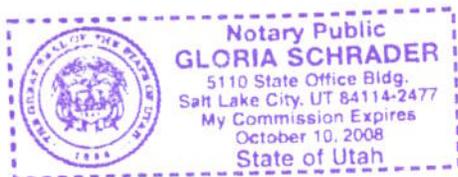
8. I observed the following evidence of construction and maintenance performed on the road prior to 1976: I observed graders performing maintenance and construction activities on the road.

Dated this 19 day of September, 2007.



Ferd E. Johnson

SUBSCRIBED AND SWORN TO before me this 19th day of September, 2007.





Notary Public



NIELSON
County Unique - B2451

Land Ownership Categories

- ◆ BLM
- ◆ US Forest Service
- ◆ Private
- ◆ State Lands
- ◆ National Parks & Monuments (NPS)
- ◆ Wilderness
- ◆ National Recreation Area
- ◆ State Parks
- ◆ Tribal Lands

Transportation Network

- NIELSON
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile



1:10,431
 1 inch equals 0.2 miles
 Jul 27, 2007

AFFIDAVIT OF ALBERT E. STEELE

NIELSON ROAD

SAN JUAN COUNTY, UTAH

COUNTY ROAD NUMBER B2451

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 Nielson 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 2000, when I last observed it. Attached is a San Juan County map showing Nielson 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 2000. Throughout this time period I have observed travel on the road by various means, including: pickup, automobile, other truck, camper, jeep and oil equipment. Throughout this time period,

the road was used weekly for more than 10 continuous years prior to 1976, and was used weekly in 2000.

5. Throughout the time period from 1960 to 2000, 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, oil and gas exploration, wood gathering, mineral prospecting, 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 1950's and continuing through 1976 to the present, for the uses described in the previous paragraphs.

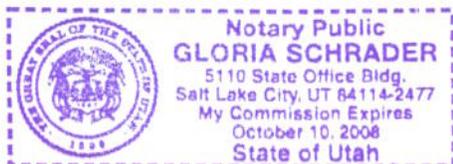
8. I observed the graded surface prior to 1976.

Dated this 18th day of September, 2007.

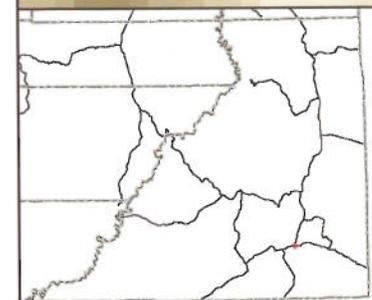


Albert E. Steele

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



Notary Public



NIELSON
County Unique - B2451

<p>Land Ownership Categories</p> <ul style="list-style-type: none"> ■ BLM ■ US Forest Service ■ Private ■ State Lands ■ National Parks & Monuments (NPS) ■ Wilderness ■ National Recreation Area ■ State Parks ■ Tribal Lands 	<p>Transportation Network</p> <ul style="list-style-type: none"> — NIELSON — State / U.S. Highway — Local Roads <p>Misc</p> <ul style="list-style-type: none"> ○ City / Town ○ Municipalities ○ Section = 1 Mile
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1:10,431
1 inch equals 0.2 miles
Jul 27, 2007

Appendix A to Attachment 4

Popular Name: NIELSON ROAD

County: San Juan

County Road Number: B2451

State Geographic Information Database (SGID) Road Identification Number: RD190243.

Road-Segment Number: 001

Road-Segment Length: 0.1 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 40 South Range 22 East, Section(s) 30, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (NIELSON 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 16 minutes 39.58 seconds North Latitude and -109 degrees 32 minutes 12.57 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,211,588.4 feet and Y = 10,070,969.2 feet; thence the following courses along the said road center line:

- thence North 81 Degrees 00 Minutes 37 Seconds East 19.6 feet
- thence North 68 Degrees 23 Minutes 49 Seconds East 27.1 feet
- thence North 51 Degrees 01 Minutes 25 Seconds East 23.1 feet
- thence North 40 Degrees 11 Minutes 10 Seconds East 20.7 feet
- thence North 37 Degrees 39 Minutes 18 Seconds East 17.1 feet
- thence North 42 Degrees 59 Minutes 55 Seconds East 15.8 feet
- thence North 47 Degrees 17 Minutes 09 Seconds East 20.4 feet
- thence North 54 Degrees 02 Minutes 37 Seconds East 21.4 feet
- thence North 61 Degrees 04 Minutes 23 Seconds East 20.6 feet
- thence North 68 Degrees 04 Minutes 07 Seconds East 18.7 feet
- thence North 78 Degrees 22 Minutes 24 Seconds East 20.1 feet

thence South 85 Degrees 33 Minutes 10 Seconds East 19.8 feet
thence South 79 Degrees 21 Minutes 44 Seconds East 20.7 feet
thence South 83 Degrees 36 Minutes 23 Seconds East 22.5 feet
thence North 88 Degrees 25 Minutes 28 Seconds East 29.9 feet
thence North 86 Degrees 55 Minutes 51 Seconds East 34.2 feet
thence North 86 Degrees 22 Minutes 53 Seconds East 34.2 feet
thence North 84 Degrees 22 Minutes 08 Seconds East 28.3 feet
thence North 81 Degrees 42 Minutes 12 Seconds East 35.5 feet
thence North 79 Degrees 17 Minutes 10 Seconds East 36.4 feet
thence North 87 Degrees 17 Minutes 51 Seconds East 39.4 feet
thence South 86 Degrees 07 Minutes 29 Seconds East 13.9 feet more or less to **the ending**

point at: 37 degrees 16 minutes 40.74 seconds North Latitude and -109 degrees 32 minutes 06.39 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,212,085.6 feet and Y = 10,071,097.6 feet.

Appendix B to Attachment 4

Popular Name: NIELSON ROAD

County: San Juan

County Road Number: B2451

State Geographic Information Database (SGID) Road Identification Number: RD190243.

Road-Segment Number: 003

Road-Segment Length: 0.04 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 40 South Range 22 East, Section(s) 30, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (NIELSON 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 37 degrees 17 minutes 02.17 seconds North Latitude and -109 degrees 31 minutes 56.96 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,212,802.1 feet and Y = 10,073,280.7 feet; thence the following courses along the said road center line:

thence North 02 Degrees 52 Minutes 21 Seconds West 11 feet
thence North 01 Degrees 17 Minutes 44 Seconds West 38.4 feet
thence North 02 Degrees 40 Minutes 57 Seconds West 39.7 feet
thence North 01 Degrees 30 Minutes 35 Seconds West 31.5 feet
thence North 03 Degrees 59 Minutes 27 Seconds West 35.8 feet
thence North 05 Degrees 35 Minutes 24 Seconds West 21.4 feet
thence North 07 Degrees 26 Minutes 28 Seconds West 2.6 feet
thence North 23 Degrees 30 Minutes 53 Seconds West 2.5 feet
thence North 06 Degrees 39 Minutes 23 Seconds West 5.9 feet
thence North 00 Degrees 18 Minutes 58 Seconds West 23 feet
thence North 00 Degrees 52 Minutes 37 Seconds East 15.8 feet more or less to **the ending**

point at: 37 degrees 17 minutes 04.42 seconds North Latitude and -109 degrees 31 minutes 57.03 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,212,791.5 feet and Y = 10,073,507.9 feet.