

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

Ent 103200 Bk 894 Pg 807-819
Date: 30-MAY-2008 8:17AM
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 McCracken Well Road; County Road Number: B267; State Geographic Information Database (SGID) Road Identification Number: RD190286. Total road length is 1.59 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

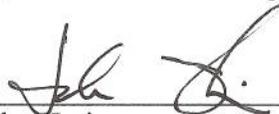
Internet at <http://recorded2477roads.utah.gov>.

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

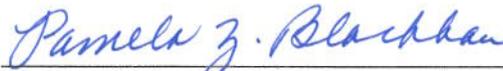
CERTIFICATION

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



 <p>1:15,667 1 inch equals 0.2 miles</p>		<p align="center">MCCRACKEN WELL ROAD - San Juan County SGID RD_ID RD190286</p> <table border="0"> <tr> <td colspan="2">Land Ownership Categories</td> <td colspan="2">Transportation Network</td> </tr> <tr> <td>● BLM</td> <td>◆ Wilderness</td> <td>— MCCracken Well Road</td> <td>● Photo Event Point</td> </tr> <tr> <td>● Private</td> <td>◆ UDWR Wildlife Reserve</td> <td>— Title V: Issued Or Under Consideration By BLM Or County</td> <td>○ Section = 1 Mile</td> </tr> <tr> <td>● SITLA, State Trust Land</td> <td>◆ DOD, Military</td> <td>— Other Roads</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>	Land Ownership Categories		Transportation Network		● BLM	◆ Wilderness	— MCCracken Well Road	● Photo Event Point	● Private	◆ UDWR Wildlife Reserve	— Title V: Issued Or Under Consideration By BLM Or County	○ Section = 1 Mile	● SITLA, State Trust Land	◆ DOD, Military	— Other Roads		● 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 08, 2008</p> 
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Attachment 2



EP190286003



EP190286004



EP190286001

EP000000000

EP000000000

EP000000000

MCCRACKEN WELL ROAD - San Juan County

SGID RD_ID RD190286

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: McCracken Well Road

County: San Juan

County Road Number: B267

State Geographic Information Database (SGID) Road Identification Number: RD190286.

Total Road Length: 1.59 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 17 minutes 1.6 seconds North Latitude and -109 degrees 26 minutes 54.47 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,237,243.7 feet and Y = 10,073,747.4 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 18 minutes 02.86 seconds North Latitude and -109 degrees 26 minutes 20.36 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,239,862.8 feet and Y = 10,080,003.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 40 South Range 22 East, Section(s) 24,25, Salt Lake Base & Meridian

Township 40 South Range 23 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: McCracken Well Road

County: San Juan

County Road Number: B267

State Geographic Information Database (SGID) Road Identification Number: RD190286.

Total Road Length: 1.59 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
RD190286	001	BLM	1.59 Miles	A
		Total Road Length	1.59	_____

* 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
MCCRACKEN WELL ROAD
SAN JUAN COUNTY, UTAH
COUNTY ROAD NUMBER B267

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 McCracken Well Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1958, it followed the same route as in 2004, when I last observed it. Attached is a San Juan County map showing McCracken 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. 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 1958 and continuing through 1976 to 2004. Throughout this time period I have observed travel on the road by various means, including: pickup, ATV, oil truck, water truck, drill rig and automobile. Throughout this time period, the

road has been used weekly for more than 10 continuous years prior to 1976, and was used weekly in 2004.

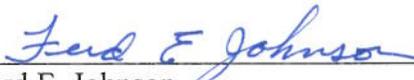
5. Throughout the time period from 1958 to 2004, I have used the road myself for the following uses: Utah Department of Transportation work.

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: gravel pit access, mining activity, oil and gas exploration and recreation.

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 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

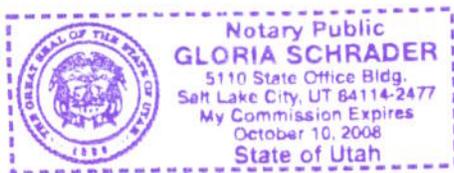
8. I observed the following evidence of construction and maintenance performed on the road prior to 1976: I observed graders performing maintenance and construction activities on the road.

Dated this 19 day of September, 2007.



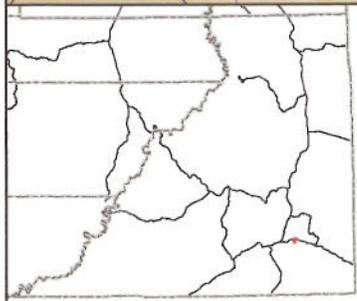
Ferd E. Johnson

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





Notary Public



McCRACKEN WELL
County Unique - B267

Land Ownership Categories

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

Transportation Network

- McCracken Well
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile



1:15,403
 1 inch equals 0.2 miles
 Aug 01, 2007

AFFIDAVIT OF ALBERT E. STEELE

MCCRACKEN WELL ROAD

SAN JUAN COUNTY, UTAH

COUNTY ROAD NUMBER B267

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 McCracken Well 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 1982, when I last observed it. Attached is a San Juan County map showing McCracken 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. 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 1982. 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 1982.

5. Throughout the time period from 1960 to 1982, I have used the road myself for the following uses: predator control.

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.

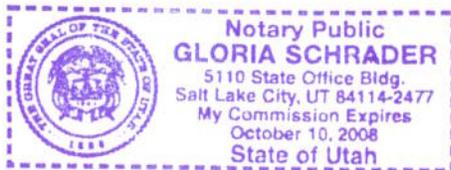
8. I observed the graded surface prior to 1976.

Dated this 18th day of September, 2007.

Albert E. Steele

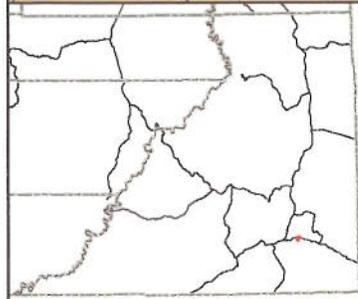
Albert E. Steele

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



Gloria Schrader

Notary Public



McCRACKEN WELL
County Unique - B267

Land Ownership Categories

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

Transportation Network

- McCracken Well
- State / U.S. Highway
- Local Roads

Misc

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



1:15,403
 1 inch equals 0.2 miles
 Aug 01, 2007

Appendix A to Attachment 4

Popular Name: McCracken Well Road

County: San Juan

County Road Number: B267

State Geographic Information Database (SGID) Road Identification Number: RD190286.

Road-Segment Number: 001

Road-Segment Length: 1.59 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) 24,25, Salt Lake Base & Meridian

Township 40 South Range 23 East, Section(s) 19, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (McCracken 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 37 degrees 17 minutes 1.6 seconds North Latitude and -109 degrees 26 minutes 54.47 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,237,243.7 feet and Y = 10,073,747.4 feet; thence the following courses along the said road center line:

thence North 75 Degrees 52 Minutes 04 Seconds East 20.6 feet
thence North 68 Degrees 51 Minutes 16 Seconds East 96.9 feet
thence North 51 Degrees 01 Minutes 23 Seconds East 42 feet
thence North 40 Degrees 28 Minutes 07 Seconds East 66.3 feet
thence North 23 Degrees 25 Minutes 57 Seconds East 62.7 feet
thence North 05 Degrees 38 Minutes 34 Seconds East 60 feet
thence North 07 Degrees 35 Minutes 54 Seconds West 59.5 feet
thence North 15 Degrees 49 Minutes 26 Seconds West 58.9 feet
thence North 20 Degrees 22 Minutes 57 Seconds West 58.3 feet
thence North 34 Degrees 45 Minutes 21 Seconds West 55.7 feet

thence North 60 Degrees 36 Minutes 35 Seconds West 61.6 feet
thence North 82 Degrees 43 Minutes 20 Seconds West 79.4 feet
thence North 80 Degrees 44 Minutes 43 Seconds West 84.9 feet
thence North 61 Degrees 05 Minutes 02 Seconds West 82 feet
thence North 48 Degrees 36 Minutes 46 Seconds West 88.8 feet
thence North 48 Degrees 22 Minutes 24 Seconds West 95.7 feet
thence North 51 Degrees 52 Minutes 55 Seconds West 91.3 feet
thence North 55 Degrees 26 Minutes 05 Seconds West 70 feet
thence North 57 Degrees 57 Minutes 00 Seconds West 55.2 feet
thence North 62 Degrees 28 Minutes 30 Seconds West 52.7 feet
thence North 55 Degrees 54 Minutes 41 Seconds West 65.6 feet
thence North 45 Degrees 00 Minutes 49 Seconds West 87.7 feet
thence North 46 Degrees 17 Minutes 16 Seconds West 109.5 feet
thence North 50 Degrees 10 Minutes 52 Seconds West 109.4 feet
thence North 53 Degrees 24 Minutes 38 Seconds West 103.8 feet
thence North 57 Degrees 26 Minutes 38 Seconds West 114.9 feet
thence North 55 Degrees 02 Minutes 50 Seconds West 122.2 feet
thence North 44 Degrees 08 Minutes 13 Seconds West 101.4 feet
thence North 10 Degrees 48 Minutes 18 Seconds West 43.1 feet
thence North 10 Degrees 48 Minutes 38 Seconds West 56 feet
thence North 20 Degrees 43 Minutes 14 Seconds East 137.1 feet
thence North 34 Degrees 05 Minutes 29 Seconds East 145.2 feet
thence North 36 Degrees 46 Minutes 00 Seconds East 158.4 feet
thence North 37 Degrees 52 Minutes 18 Seconds East 168.2 feet
thence North 38 Degrees 51 Minutes 47 Seconds East 169.3 feet
thence North 38 Degrees 54 Minutes 58 Seconds East 163.9 feet
thence North 38 Degrees 48 Minutes 20 Seconds East 158.6 feet
thence North 39 Degrees 08 Minutes 38 Seconds East 146.6 feet
thence North 38 Degrees 42 Minutes 28 Seconds East 144.9 feet
thence North 39 Degrees 51 Minutes 44 Seconds East 173.9 feet
thence North 38 Degrees 16 Minutes 01 Seconds East 193.1 feet
thence North 38 Degrees 47 Minutes 45 Seconds East 194.5 feet
thence North 38 Degrees 29 Minutes 34 Seconds East 195.8 feet
thence North 38 Degrees 26 Minutes 55 Seconds East 194.4 feet
thence North 38 Degrees 16 Minutes 07 Seconds East 197.3 feet
thence North 38 Degrees 16 Minutes 09 Seconds East 199.4 feet
thence North 38 Degrees 36 Minutes 18 Seconds East 201.6 feet
thence North 38 Degrees 11 Minutes 49 Seconds East 201.3 feet
thence North 39 Degrees 03 Minutes 36 Seconds East 196.5 feet
thence North 39 Degrees 21 Minutes 10 Seconds East 194.8 feet
thence North 38 Degrees 55 Minutes 05 Seconds East 194 feet
thence North 38 Degrees 48 Minutes 03 Seconds East 192.4 feet
thence North 38 Degrees 37 Minutes 36 Seconds East 175.9 feet
thence North 38 Degrees 18 Minutes 33 Seconds East 173.5 feet
thence North 38 Degrees 07 Minutes 37 Seconds East 176.8 feet
thence North 38 Degrees 35 Minutes 30 Seconds East 177.1 feet
thence North 38 Degrees 30 Minutes 32 Seconds East 176.9 feet
thence North 39 Degrees 04 Minutes 19 Seconds East 173.2 feet
thence North 39 Degrees 03 Minutes 42 Seconds East 163.4 feet

thence North 38 Degrees 22 Minutes 54 Seconds East 152.2 feet
thence North 38 Degrees 42 Minutes 47 Seconds East 142.8 feet
thence North 39 Degrees 09 Minutes 20 Seconds East 144.5 feet
thence North 38 Degrees 00 Minutes 59 Seconds East 117.7 feet
thence North 37 Degrees 59 Minutes 51 Seconds East 16.1 feet
thence North 37 Degrees 22 Minutes 59 Seconds East 122.3 feet
thence North 39 Degrees 10 Minutes 15 Seconds East 113.5 feet
thence North 39 Degrees 39 Minutes 23 Seconds East 100.6 feet
thence North 32 Degrees 28 Minutes 18 Seconds East 63.6 feet
thence North 29 Degrees 50 Minutes 36 Seconds East 28.1 feet

more or less to **the ending point at:** 37 degrees 18 minutes 02.86 seconds North Latitude and -109 degrees 26 minutes 20.36 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,239,862.8 feet and Y = 10,080,003.0 feet.