

Ent 390367 Page 1 of 13
Date: 07-MAY-2008 11:20AM
Fee: None
Filed By: DKS
DIXIE SWASEY, Recorder
EMERY 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Emery County as it pertains to the highway located in Emery County known as SINBAD WELL ROAD; County Road Number: 340; State Geographic Information Database (SGID) Road Identification Number: RD080177. Total road length is 2.24 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 21st day of APRIL, 2008.

By the Governor's Designee



John Harja

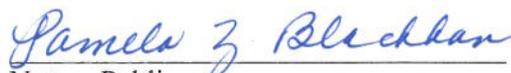
CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

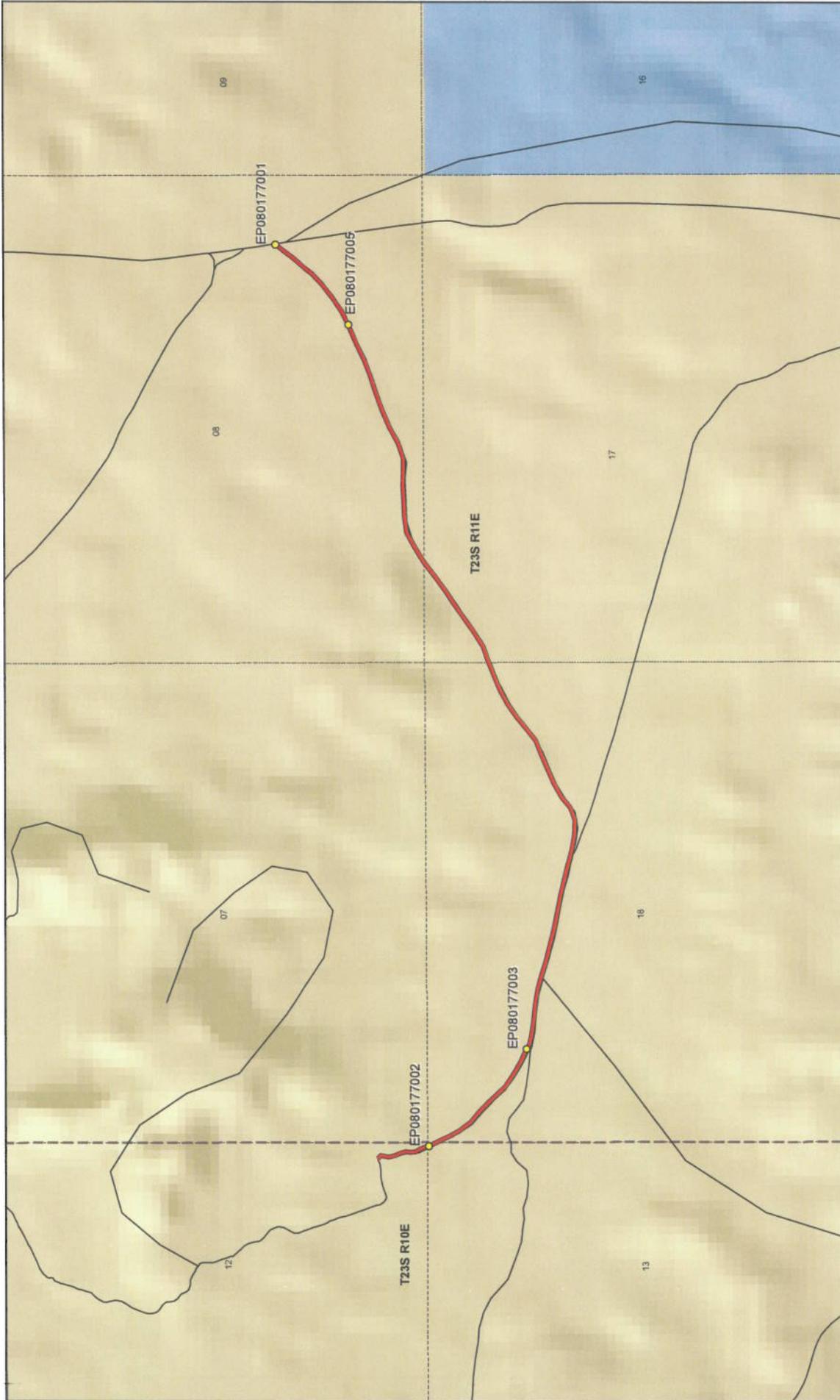
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 21st day of April, 2008.





Notary Public



SINBAD WELL ROAD - Emery County SGID RD_ID RD080177

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Tribal, Indian Reservation
- NPS, National Park

Transportation Network

- SINBAD WELL ROAD
- Other Roads
- Title V, Issued Or Under Consideration By BLM or county
- Photo Event Point
- Section = 1 Mile

Map prepared by the State of Utah
 Office of the State Auditor
 5130 State Office Building
 Salt Lake City, Utah 84114
 Jan. 28, 2008

Attachment 2



EP080177001



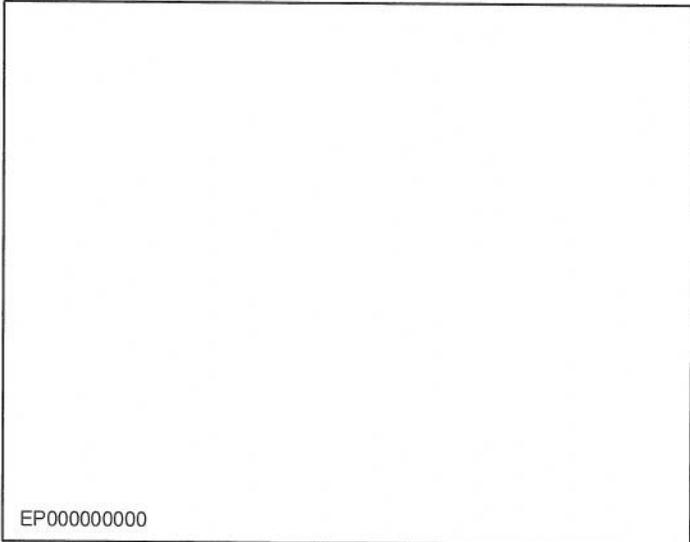
EP080177002



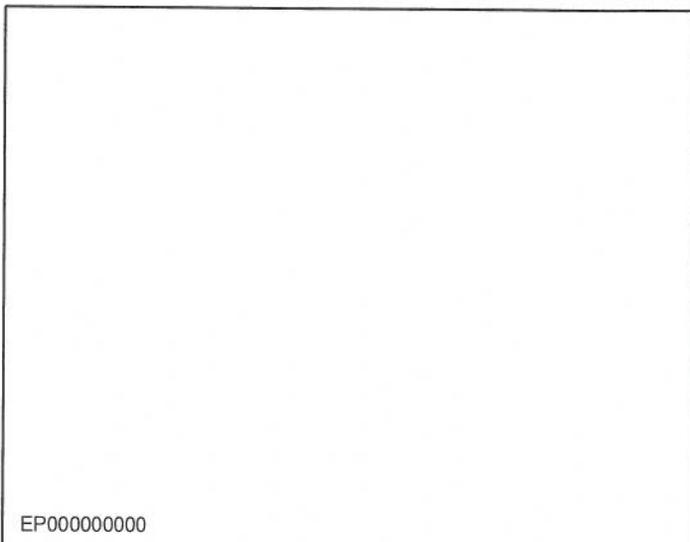
EP080177003



EP080177005



EP000000000



EP000000000

**SINBAD WELL ROAD - Emery County
SGID RD_ID RD080177**

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
February 1, 2008



Attachment 3

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

Popular Name: SINBAD WELL ROAD

County: Emery

County Road Number: 340

State Geographic Information Database (SGID) Road Identification Number: RD080177.

Total Road Length: 2.24 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 49 minutes 27.23 seconds North Latitude and -110 degrees 44 minutes 32.55 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,856,279.4 feet and Y = 6,741,389.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 49 minutes 37.78 seconds North Latitude and -110 degrees 42 minutes 027.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,866,151.1 feet and Y = 6,742,542.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 23 South Range 10 East, Section(s) 12,13, Salt Lake Base & Meridian
Township 23 South Range 11 East, Section(s) 8,17,18, 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: SINBAD WELL ROAD

County: Emery

County Road Number: 340

State Geographic Information Database (SGID) Road Identification Number: RD080177.

Total Road Length: 2.24 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
RD080177	001	BLM	2.24 Miles	A
		Total Road Length	2.24	_____

* 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 LAMOND GARDNER

SINBAD WELL ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 340

State of Utah)
 : ss.
County of Emery)

LAMOND GARDNER, 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 Cleveland, Emery County, Utah. I have lived in Emery County for my entire life.

2. I have traveled and am familiar with a road in Emery County known as Sinbad Well Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1950s, it followed the same route as in 2001 when I last observed it. Attached is an Emery County map showing Sinbad 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 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 late 1950s and continuing through 1976 to 2001. Throughout this time period I have observed travel on the road by means of pickup trucks, recreational vehicles. Throughout the time period, the road has been used daily for more than ten continuous years prior to 1976 and is presently used daily.

5. Throughout the time period from the early 1950s to 2000, I have used the road myself for verifying water rights, recreation and traveling in and through the area.

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 rock hounding, oil and gas exploration, tourism, hunting and government access.

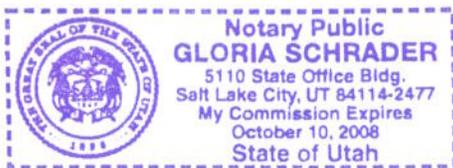
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally observed the graded surface of the road.

DATED this 9 day of March, 2007.

Lamond Gardner
LAMOND GARDNER

SUBSCRIBED AND SWORN to before me this 9th day of March, 2007.



Gloria Schrader
NOTARY PUBLIC

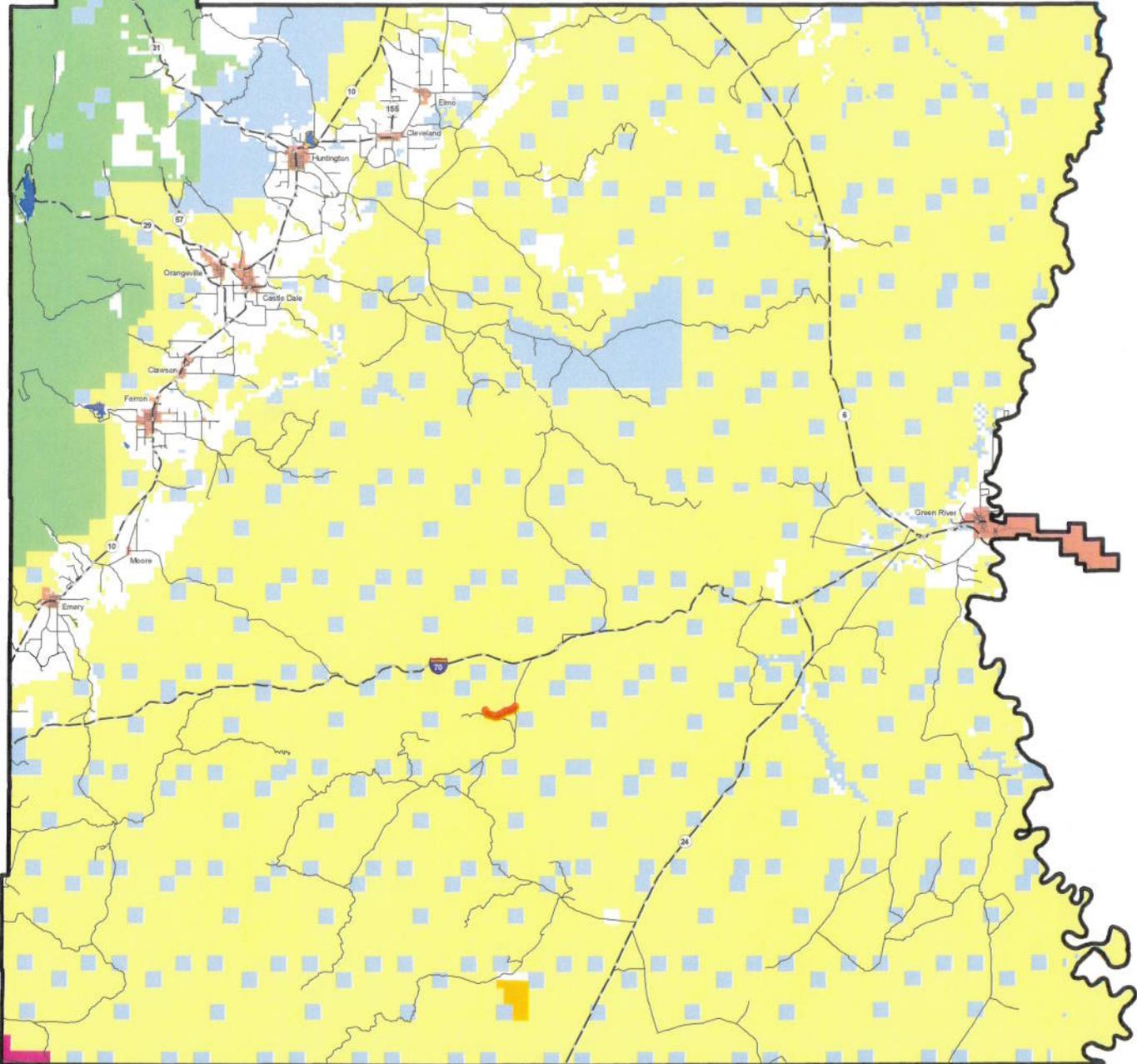
Road #340

Sinbad Well

-  Sinbad Well
-  Highway/Interstate
-  B Class Road



- | | | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
|  BLM |  State |  NPS |  Water |
|  USFS |  Private |  USP |  City Boundary |



AFFIDAVIT OF LEE SWASEY
SINBAD WELL ROAD
EMERY COUNTY, UTAH
ROAD NUMBER 340

State of Utah)
 : ss.
County of Emery)

LEE SWASEY, 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 Ferron, Emery County, Utah. I have lived in Emery County for my entire life.

2. I have traveled and am familiar with a road in Emery County known as Sinbad 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 Emery County map showing the Sinbad 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 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 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used weekly for more than ten continuous years prior to 1976, and is presently used weekly.

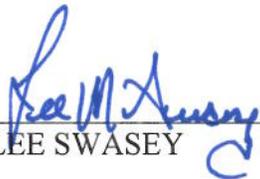
5. Throughout the time period from the early 1960s to 2007, I have used the road myself for hunting, sight seeing and livestock operations.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: mining 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 early 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

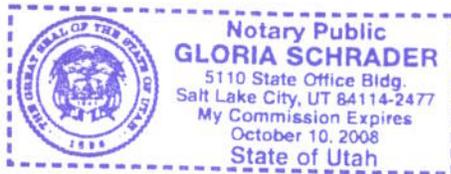
8. Prior to 1976, I personally observed the graded surface of the road.

DATED this 5 day of March, 2007.



LEE SWASEY

SUBSCRIBED AND SWORN to before me this 5th day of March, 2007.





NOTARY PUBLIC

Road #340

Sinbad Well

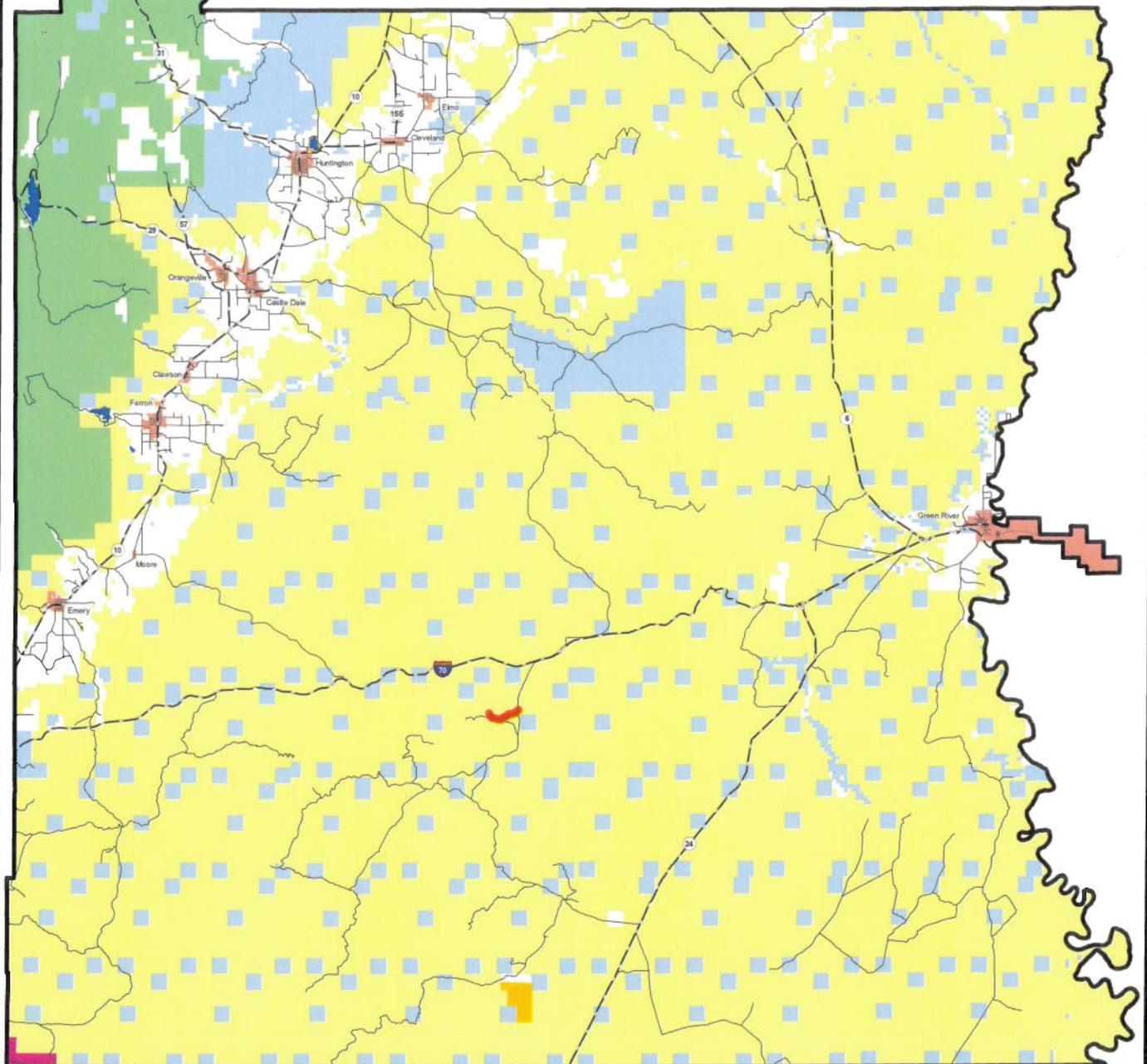
 Sinbad Well

 Highway/Interstate

 B Class Road

 BLM  State  NPS  Water

 USFS  Private  USP  City Boundary



Appendix A to Attachment 4

Popular Name: SINBAD WELL ROAD

County: Emery

County Road Number: 340

State Geographic Information Database (SGID) Road Identification Number: RD080177.

Road-Segment Number: 001

Road-Segment Length: 2.24 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 23 South Range 10 East, Section(s) 12,13, Salt Lake Base & Meridian

Township 23 South Range 11 East, Section(s) 8,17,18, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (SINBAD 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 49 minutes 27.23 seconds North Latitude and -110 degrees 44 minutes 32.55 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,856,279.4 feet and Y = 6,741,389.2 feet; thence the following courses along the said road center line:

thence South 46 Degrees 28 Minutes 52 Seconds East 46 feet
thence South 06 Degrees 26 Minutes 54 Seconds West 52.9 feet
thence South 14 Degrees 06 Minutes 43 Seconds West 34.2 feet
thence South 07 Degrees 48 Minutes 22 Seconds West 4.6 feet
thence South 16 Degrees 35 Minutes 02 Seconds East 41 feet
thence South 15 Degrees 48 Minutes 44 Seconds East 28.3 feet
thence South 23 Degrees 52 Minutes 59 Seconds East 61.6 feet
thence South 16 Degrees 08 Minutes 16 Seconds East 59 feet
thence South 09 Degrees 31 Minutes 39 Seconds West 55.6 feet
thence South 10 Degrees 06 Minutes 22 Seconds East 48.3 feet

thence South 30 Degrees 46 Minutes 27 Seconds East 62.8 feet
 thence South 20 Degrees 30 Minutes 34 Seconds East 47.6 feet
 thence South 19 Degrees 36 Minutes 49 Seconds East 7 feet
 thence South 21 Degrees 24 Minutes 58 Seconds East 24.6 feet
 thence South 21 Degrees 31 Minutes 58 Seconds East 47.2 feet
 thence South 27 Degrees 20 Minutes 54 Seconds East 54.9 feet
 thence South 27 Degrees 08 Minutes 24 Seconds East 33.5 feet
 thence South 26 Degrees 44 Minutes 43 Seconds East 117.3 feet
 thence South 27 Degrees 08 Minutes 29 Seconds East 133.1 feet
 thence South 38 Degrees 10 Minutes 31 Seconds East 141.8 feet
 thence South 48 Degrees 30 Minutes 31 Seconds East 146.2 feet
 thence South 48 Degrees 49 Minutes 52 Seconds East 144.2 feet
 thence South 43 Degrees 48 Minutes 49 Seconds East 132.1 feet
 thence South 42 Degrees 47 Minutes 46 Seconds East 121 feet
 thence South 55 Degrees 40 Minutes 21 Seconds East 108.5 feet
 thence South 58 Degrees 49 Minutes 48 Seconds East 97.4 feet
 thence South 60 Degrees 55 Minutes 00 Seconds East 103.6 feet
 thence South 63 Degrees 09 Minutes 07 Seconds East 97 feet
 thence South 63 Degrees 29 Minutes 11 Seconds East 61.8 feet
 thence South 64 Degrees 25 Minutes 02 Seconds East 63.9 feet
 thence South 75 Degrees 28 Minutes 50 Seconds East 96.1 feet
 thence South 83 Degrees 02 Minutes 20 Seconds East 160.5 feet
 thence South 84 Degrees 38 Minutes 04 Seconds East 175.5 feet
 thence South 80 Degrees 04 Minutes 09 Seconds East 167.8 feet
 thence South 74 Degrees 01 Minutes 54 Seconds East 141.6 feet
 thence South 74 Degrees 06 Minutes 05 Seconds East 158.6 feet
 thence South 75 Degrees 06 Minutes 18 Seconds East 181.3 feet
 thence South 76 Degrees 28 Minutes 49 Seconds East 189.3 feet
 thence South 78 Degrees 46 Minutes 06 Seconds East 180.2 feet
 thence South 79 Degrees 22 Minutes 23 Seconds East 184.9 feet
 thence South 77 Degrees 30 Minutes 53 Seconds East 174.7 feet
 thence South 75 Degrees 09 Minutes 23 Seconds East 169.4 feet
 thence South 76 Degrees 07 Minutes 17 Seconds East 54.8 feet
 thence South 76 Degrees 32 Minutes 56 Seconds East 104.8 feet
 thence South 78 Degrees 48 Minutes 00 Seconds East 172.5 feet
 thence South 88 Degrees 33 Minutes 22 Seconds East 159.6 feet
 thence North 69 Degrees 25 Minutes 31 Seconds East 144.1 feet
 thence North 48 Degrees 09 Minutes 55 Seconds East 152.5 feet
 thence North 60 Degrees 15 Minutes 22 Seconds East 165 feet
 thence North 66 Degrees 28 Minutes 38 Seconds East 172.5 feet
 thence North 66 Degrees 40 Minutes 30 Seconds East 174.7 feet
 thence North 67 Degrees 18 Minutes 53 Seconds East 162.2 feet
 thence North 49 Degrees 47 Minutes 44 Seconds East 161.3 feet
 thence North 50 Degrees 05 Minutes 22 Seconds East 164.8 feet
 thence North 55 Degrees 02 Minutes 35 Seconds East 171.5 feet
 thence North 60 Degrees 51 Minutes 54 Seconds East 172.3 feet
 thence North 65 Degrees 59 Minutes 06 Seconds East 175.6 feet
 thence North 68 Degrees 47 Minutes 35 Seconds East 148.3 feet
 thence North 68 Degrees 42 Minutes 08 Seconds East 21.1 feet

thence North 70 Degrees 23 Minutes 09 Seconds East 160 feet
 thence North 57 Degrees 49 Minutes 42 Seconds East 164.2 feet
 thence North 53 Degrees 57 Minutes 04 Seconds East 187.2 feet
 thence North 56 Degrees 08 Minutes 54 Seconds East 192.5 feet
 thence North 55 Degrees 37 Minutes 47 Seconds East 190.5 feet
 thence North 54 Degrees 02 Minutes 42 Seconds East 188.2 feet
 thence North 53 Degrees 18 Minutes 46 Seconds East 185.5 feet
 thence North 52 Degrees 48 Minutes 21 Seconds East 3.3 feet
 thence North 57 Degrees 11 Minutes 49 Seconds East 189.5 feet
 thence North 63 Degrees 40 Minutes 29 Seconds East 178.9 feet
 thence North 81 Degrees 34 Minutes 37 Seconds East 170.1 feet
 thence North 88 Degrees 34 Minutes 49 Seconds East 171.7 feet
 thence North 85 Degrees 35 Minutes 53 Seconds East 170.8 feet
 thence South 89 Degrees 40 Minutes 49 Seconds East 146.1 feet
 thence South 88 Degrees 29 Minutes 51 Seconds East 144.2 feet
 thence North 69 Degrees 43 Minutes 10 Seconds East 179.8 feet
 thence North 60 Degrees 53 Minutes 10 Seconds East 192.9 feet
 thence North 66 Degrees 49 Minutes 57 Seconds East 194.5 feet
 thence North 70 Degrees 43 Minutes 40 Seconds East 197.1 feet
 thence North 70 Degrees 54 Minutes 11 Seconds East 193.8 feet
 thence North 68 Degrees 26 Minutes 45 Seconds East 189.4 feet
 thence North 63 Degrees 37 Minutes 13 Seconds East 198 feet
 thence North 67 Degrees 05 Minutes 36 Seconds East 192.3 feet
 thence North 63 Degrees 55 Minutes 31 Seconds East 185.9 feet
 thence North 55 Degrees 15 Minutes 21 Seconds East 185.8 feet
 thence North 51 Degrees 37 Minutes 30 Seconds East 178.4 feet
 thence North 45 Degrees 25 Minutes 11 Seconds East 160.9 feet
 thence North 38 Degrees 22 Minutes 44 Seconds East 135.4 feet
 thence North 38 Degrees 47 Minutes 13 Seconds East 104.1 feet
 thence North 39 Degrees 56 Minutes 12 Seconds East 89.9 feet
 thence North 38 Degrees 08 Minutes 46 Seconds East 77.6 feet
 thence North 37 Degrees 40 Minutes 54 Seconds East 62.9 feet
 thence North 33 Degrees 07 Minutes 44 Seconds East 22 feet
 thence North 44 Degrees 40 Minutes 32 Seconds East 2.8 feet
 thence North 37 Degrees 04 Minutes 51 Seconds East 7 feet more or less to **the ending point**

at: 38 degrees 49 minutes 37.78 seconds North Latitude and -110 degrees 42 minutes 027.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,866,151.1 feet and Y = 6,742,542.4 feet.