

Ent 103081 Bk 893 Pg 248 - 260
Date: 29-MAY-2008 11:40AM
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 SPRING CREEK PIT ROAD; County Road Number: B172; State Geographic Information Database (SGID) Road Identification Number: RD190126. Total road length is 0.19 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

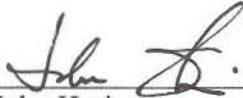
Internet at <http://recorded2477roads.utah.gov>.

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



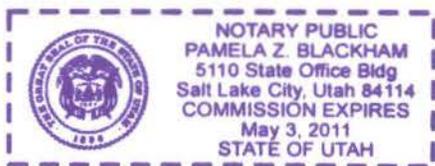
John Harja

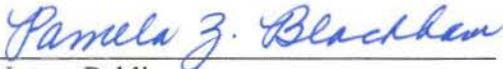
CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

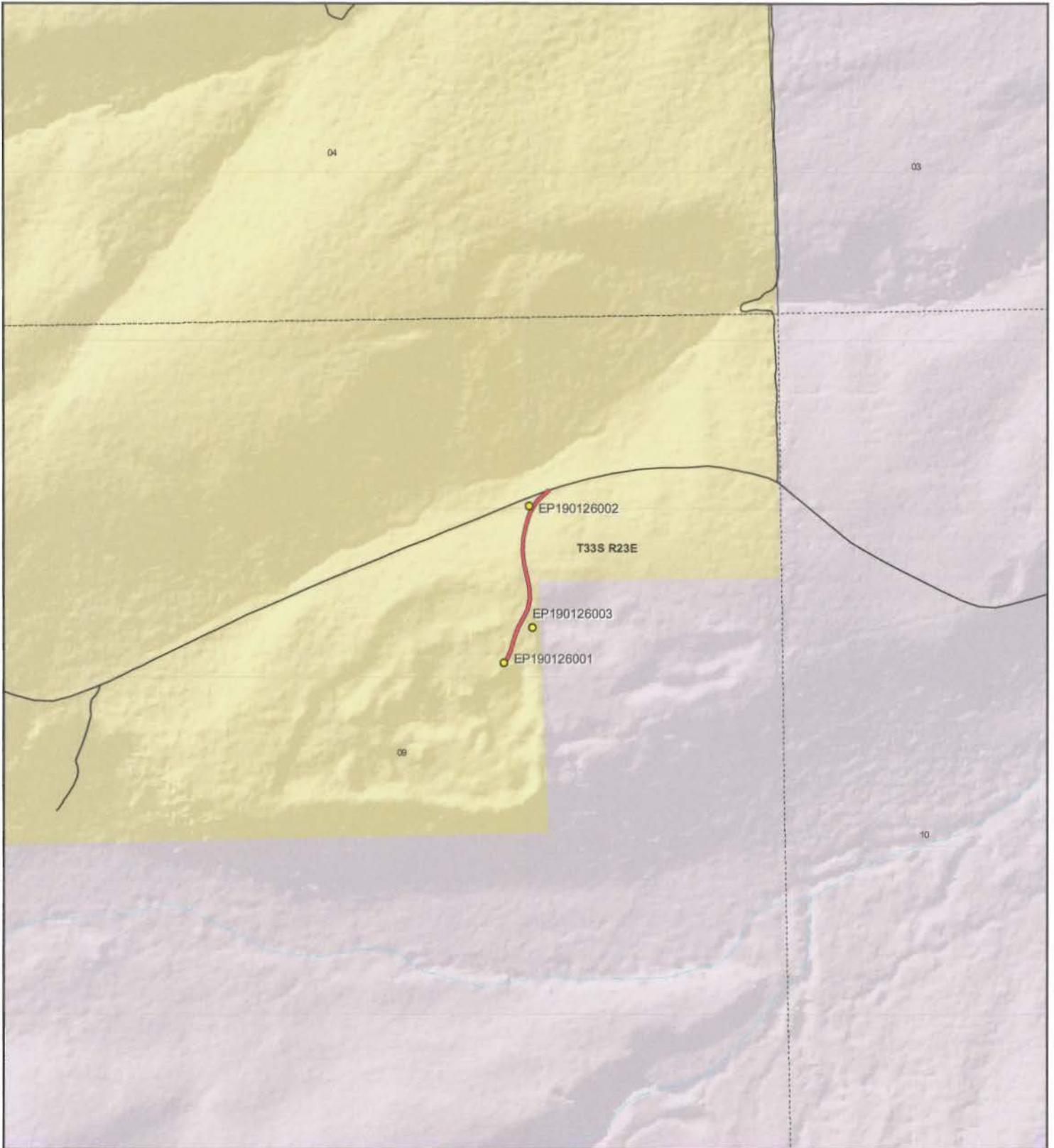
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to 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>1:8,423 1 inch equals 0.1 miles</p>		<p align="center">SPRING CREEK PIT ROAD - San Juan County SGID RD_ID RD190126</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> SPRING CREEK PIT ROAD</td> <td> Title V: Issued Or Under Consideration By BLM Or County</td> </tr> <tr> <td> Private</td> <td> UDWR Wildlife Reserve</td> <td> Other Roads</td> <td> Photo Event Point</td> </tr> <tr> <td> SITLA, State Trust Land</td> <td> DOD, Military</td> <td> Section = 1 Mile</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	SPRING CREEK PIT ROAD	Title V: Issued Or Under Consideration By BLM Or County	Private	UDWR Wildlife Reserve	Other Roads	Photo Event Point	SITLA, State Trust Land	DOD, Military	Section = 1 Mile		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



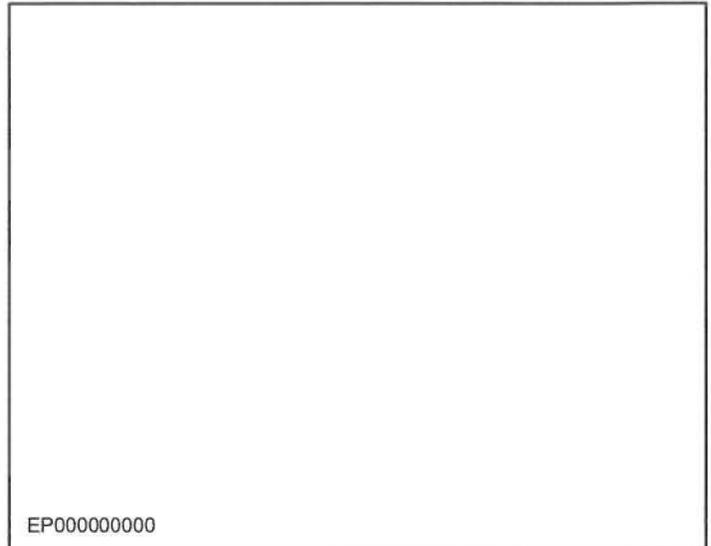
EP190126001



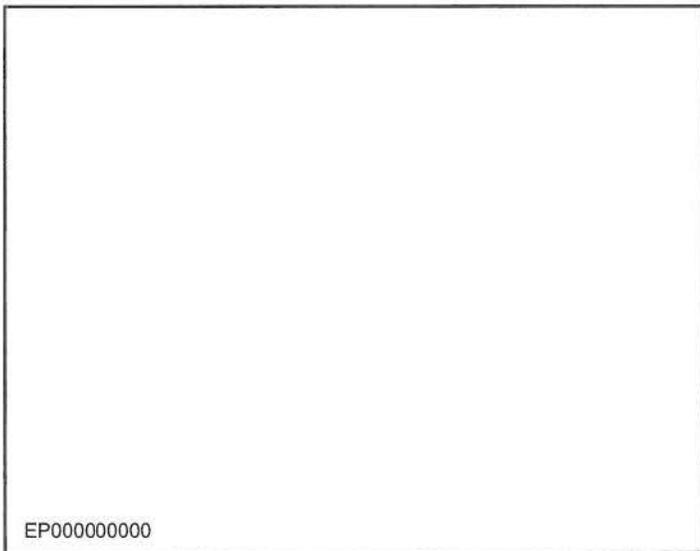
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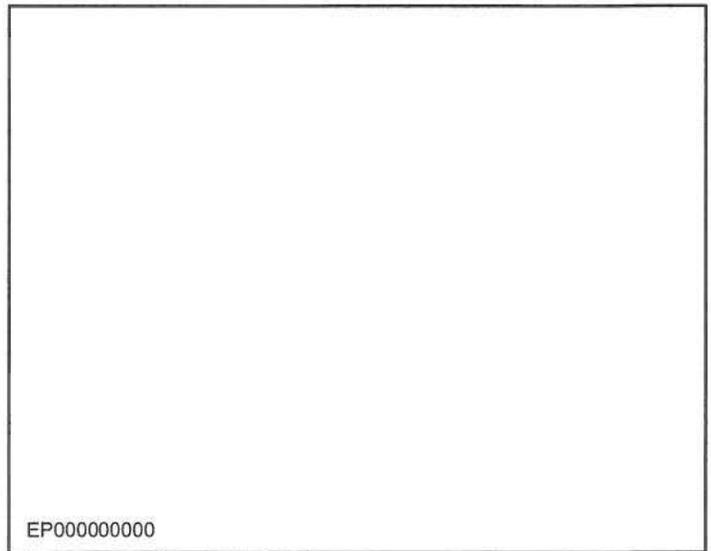
EP190126003



EP000000000



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SPRING CREEK PIT ROAD - San Juan County
SGID RD_ID RD190126



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: SPRING CREEK PIT ROAD

County: San Juan

County Road Number: B172

State Geographic Information Database (SGID) Road Identification Number: RD190126.

Total Road Length: 0.19 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 55 minutes 32.88 seconds North Latitude and -109 degrees 23 minutes 49.24 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,246,953.0 feet and Y = 10,307,795.5 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 55 minutes 42.01 seconds North Latitude and -109 degrees 23 minutes 46.01 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,247,191.3 feet and Y = 10,308,724.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 33 South Range 23 East, Section(s) 9, 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: SPRING CREEK PIT ROAD

County: San Juan

County Road Number: B172

State Geographic Information Database (SGID) Road Identification Number: RD190126.

Total Road Length: 0.19 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
RD190126	001	BLM	0.19 Miles	A
		Total Road Length	0.19	_____

* 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 TED C. BRONSON

SPRING CREEK PIT ROAD

SAN JUAN COUNTY, UTAH

COUNTY ROAD NUMBER B172

State of Utah)
 : ss
County of San Juan)

Ted C. Bronson, 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 81 years. I worked as a grader for the San Juan County Road Department during the years 1961-1987.

2. I have traveled and am familiar with a road in San Juan County known as Spring Creek Pit Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950's, it followed the same route as in 2007, when I last observed it. Attached is a San Juan County map showing Spring Creek Pit 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 1950's and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means,

including horses, maintenance vehicles, cars and trucks. Throughout this time period, the road has been used daily.

5. Throughout the time period from the early 1950's to 2007, I have used the road myself for the following uses: county road maintenance, hunting, pine nut gathering and traveling in and through the area.

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, farming and 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 sometime before the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

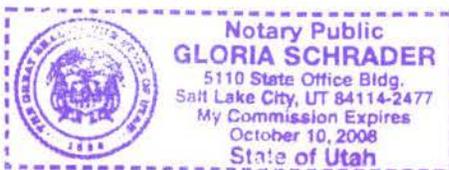
8. I personally graded the road from 1974 to the early 1980's as well as observed the following evidence of construction and maintenance performed on the road prior to 1976: road berms, cuts and fills, constructed dugways and culverts from at least as early as the late 50's.

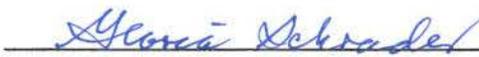
Dated this 17 day of September, 2007.



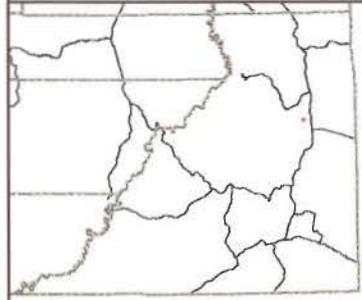
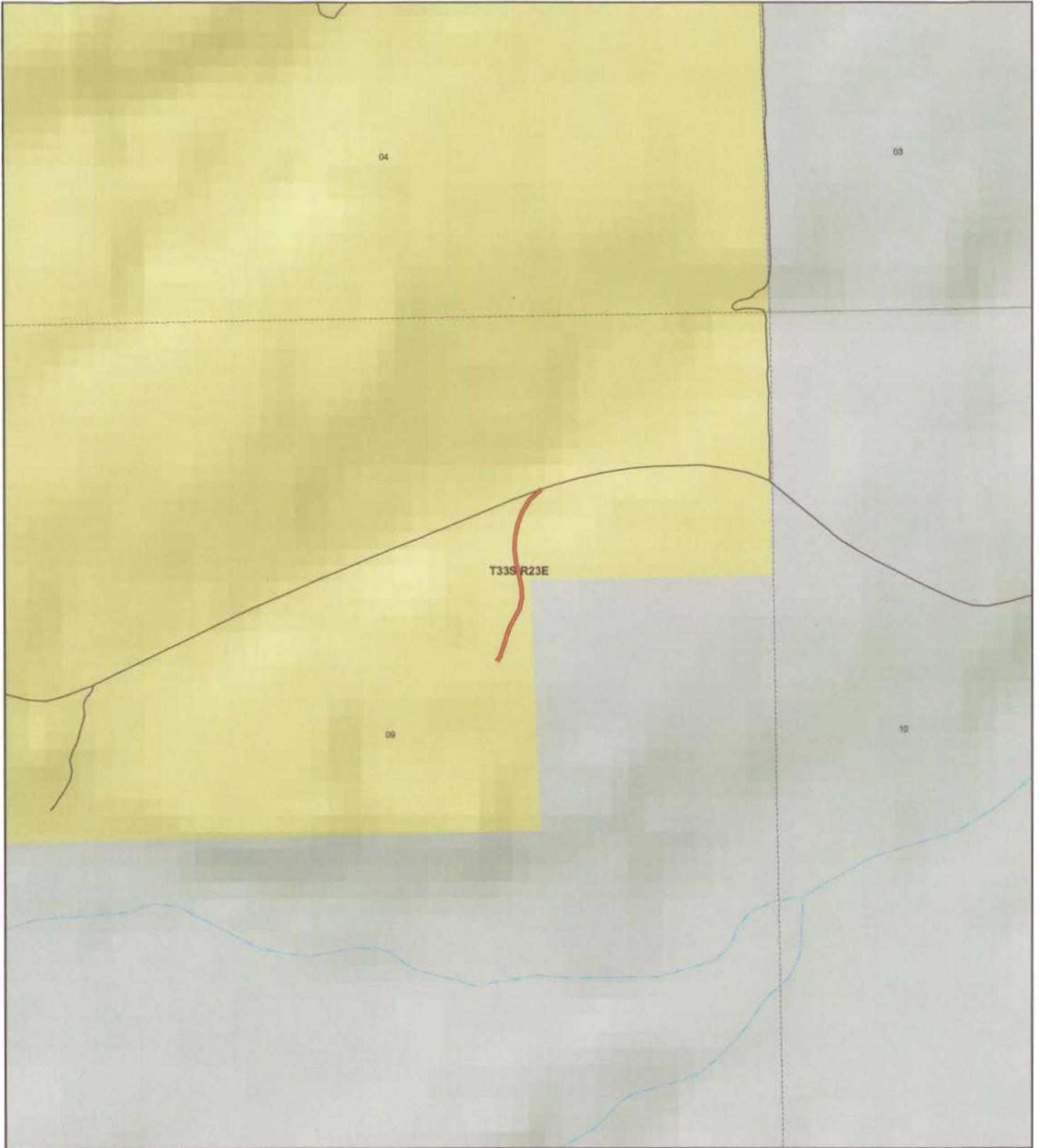
Ted C. Bronson

SUBSCRIBED AND SWORN TO before me this 17th day of September, 2007.





Notary Public



SPRING CREEK PIT
County Unique - B172

Land Ownership Categories

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

Transportation Network

- SPRING CREEK PIT
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile



1:8,281
 1 inch equals 0.1 miles
 Jul 27, 2007

AFFIDAVIT OF JOHN M. SCORUP

SPRING CREEK PIT ROAD

SAN JUAN COUNTY, UTAH

COUNTY ROAD NUMBER B172

State of Utah)
 : ss
County of San Juan)

John M. Scorup, 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 1935.

2. I have traveled and am familiar with a road in San Juan County known as Spring Creek Pit 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 2007, when I last observed it. Attached is a San Juan County map showing Spring Creek Pit 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 late 1950s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by various means, including automobile, pickup truck, commercial vehicle, construction truck, semi-trailer truck,

road maintenance vehicle, jeep, motorcycle, ATV, OHV, horse, haywagon, oil drilling vehicle and snowmobile. Throughout this time period, the road has been used daily.

5. Throughout the time period from the late 1950s to 2007, I have used the road myself for the following uses: wood gathering 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: hunting, gravel pit access and traveling in and through the area.

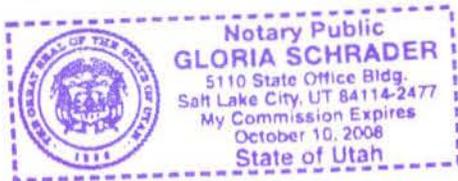
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed graders maintaining the road prior to 1976.

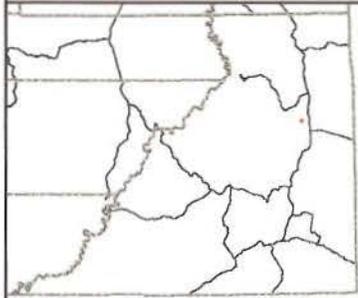
Dated this 17th day of September, 2007.

John M. Scorup
John M. Scorup

SUBSCRIBED AND SWORN TO before me this 17th day of September, 2007.



Gloria Schrader
Notary Public



SPRING CREEK PIT
County Unique - B172

Land Ownership Categories

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

Transportation Network

- SPRING CREEK PIT
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile



1:8,281
 1 inch equals 0.1 miles
 Jul 27, 2007

Appendix A to Attachment 4

Popular Name: SPRING CREEK PIT ROAD

County: San Juan

County Road Number: B172

State Geographic Information Database (SGID) Road Identification Number: RD190126.

Road-Segment Number: 001

Road-Segment Length: 0.19 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 33 South Range 23 East, Section(s) 9, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (SPRING CREEK PIT 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 55 minutes 32.88 seconds North Latitude and -109 degrees 23 minutes 49.24 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,246,953.0 feet and Y = 10,307,795.5 feet; thence the following courses along the said road center line:

thence North 35 Degrees 37 Minutes 31 Seconds East 28 feet
thence North 19 Degrees 40 Minutes 48 Seconds East 38.4 feet
thence North 17 Degrees 28 Minutes 24 Seconds East 45.1 feet
thence North 15 Degrees 51 Minutes 41 Seconds East 47.1 feet
thence North 21 Degrees 42 Minutes 57 Seconds East 48.1 feet
thence North 29 Degrees 12 Minutes 52 Seconds East 51.3 feet
thence North 26 Degrees 34 Minutes 15 Seconds East 54.4 feet
thence North 12 Degrees 34 Minutes 19 Seconds East 58.9 feet
thence North 02 Degrees 28 Minutes 11 Seconds West 60.7 feet
thence North 12 Degrees 09 Minutes 35 Seconds West 60.7 feet
thence North 15 Degrees 14 Minutes 03 Seconds West 66.2 feet

thence North 08 Degrees 12 Minutes 36 Seconds West 71.6 feet

thence North 02 Degrees 39 Minutes 11 Seconds East 70 feet

thence North 11 Degrees 12 Minutes 38 Seconds East 72.3 feet

thence North 18 Degrees 51 Minutes 18 Seconds East 74 feet

thence North 31 Degrees 40 Minutes 34 Seconds East 76.2 feet

thence North 49 Degrees 04 Minutes 18 Seconds East 85.2 feet more or less to **the ending**

point at: 37 degrees 55 minutes 42.01 seconds North Latitude and -109 degrees 23 minutes 46.01 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,247,191.3 feet and Y = 10,308,724.7 feet.