

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

Ent 103216 Bk 895 Pg 40-52  
Date: 30-MAY-2008 8:52AM  
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 RECAPTURE POCKET EAST ROAD; County Road Number: B2801; State Geographic Information Database (SGID) Road Identification Number: RD190313. Total road length is 0.88 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 22<sup>nd</sup> day of may, 2008.

By the Governor's Designee

  
\_\_\_\_\_  
John Harja

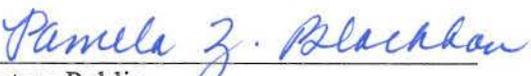
**CERTIFICATION**

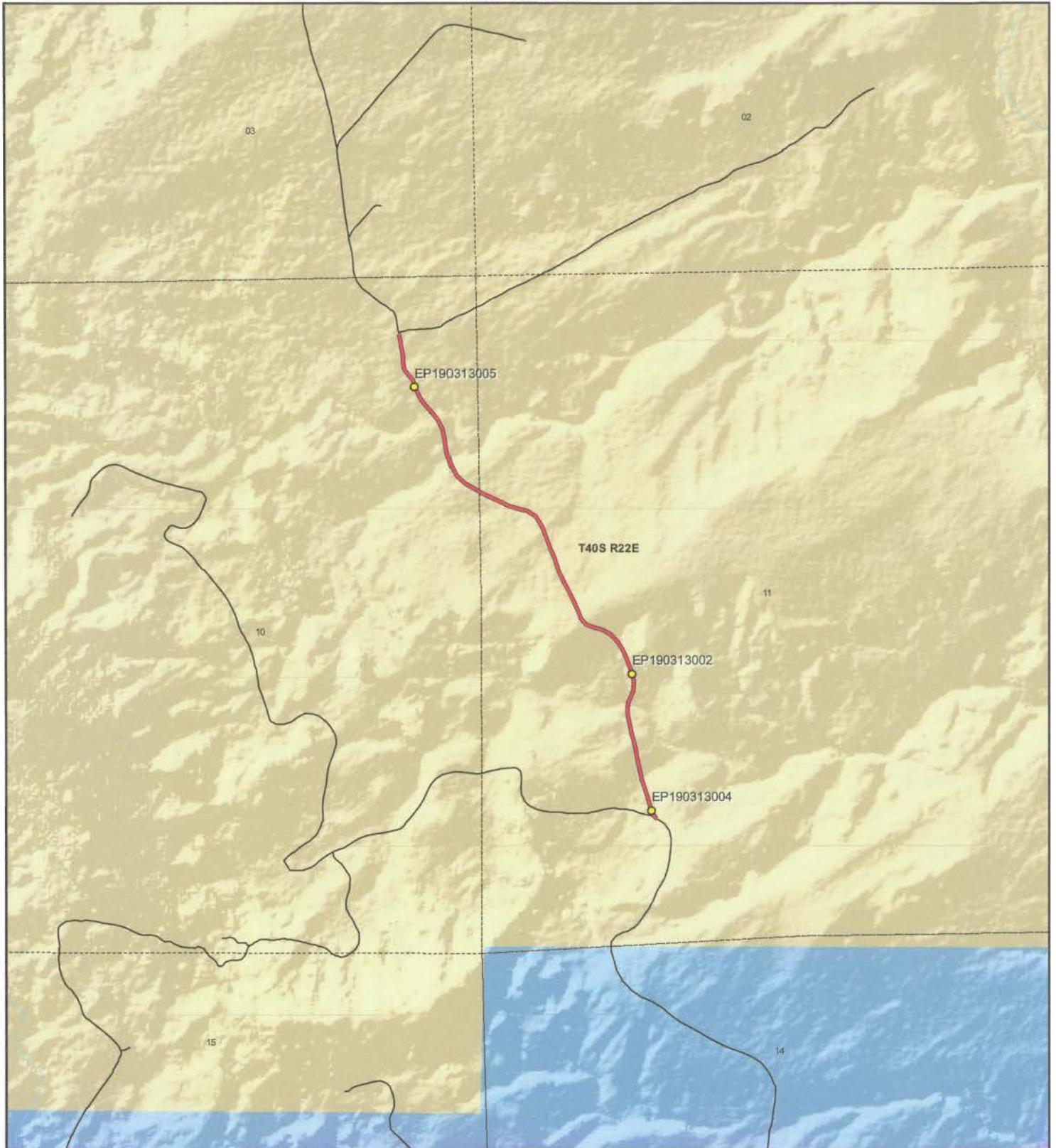
State of Utah                    )  
  : ss  
County of Salt Lake         )

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 22<sup>nd</sup> day of May, 2008.



  
\_\_\_\_\_  
Notary Public



<p>1:12,390 1 inch equals 0.2 miles</p>		<p align="center"><b>RECAPTURE POCKET EAST ROAD - San Juan County</b> <b>SGID RD_ID RD190313</b></p> <table border="0"> <tr> <td colspan="2"><b>Land Ownership Categories</b></td> <td colspan="2"><b>Transportation Network</b></td> </tr> <tr> <td> BLM</td> <td> Wilderness</td> <td> RECAPTURE POCKET EAST RD</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>	<b>Land Ownership Categories</b>		<b>Transportation Network</b>		BLM	Wilderness	RECAPTURE POCKET EAST RD	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



EP190313002



EP190313004



EP190313005

EP000000000

EP000000000

EP000000000

**RECAPTURE POCKET EAST ROAD - San Juan County**  
**SGID RD\_ID RD190313**



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: RECAPTURE POCKET EAST ROAD**

**County: San Juan**

**County Road Number: B2801**

**State Geographic Information Database (SGID) Road Identification Number: RD190313.**

**Total Road Length: 0.88 miles more or less.**

**Beginning at a point** on the road centerline located at 37 degrees 19 minutes 09.19 seconds North Latitude and -109 degrees 28 minutes 017.1 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,230,287.2 feet and Y = 10,086,503.4 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 37 degrees 19 minutes 47.44 seconds North Latitude and -109 degrees 28 minutes 41.51 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,228,232.3 feet and Y = 10,090,329.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 40 South Range 22 East, Section(s) 10,11, 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: RECAPTURE POCKET EAST ROAD**

**County: San Juan**

**County Road Number: B2801**

**State Geographic Information Database (SGID) Road Identification Number: RD190313.**

**Total Road Length: 0.88 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).**

<b>Road-Segments Listed by SGID Road Identification Number (RD_ID)</b>	<b>Road-Segment Numbers</b>	<b>Believed Ownership Of Servient Estate</b>	<b>Approximate Segment Length</b>	<b>See Attached Appendix</b>
<b>RD190313</b>	<b>001</b>	<b>BLM</b>	<b>0.88 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>0.88</b>	<b>_____</b>

\* 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 BRUCE L. SHUMWAY**

**RECAPTURE POCKET EAST ROAD**

**SAN JUAN COUNTY, UTAH**

**COUNTY ROAD NUMBER B2801**

State of Utah                    )  
  : ss  
County of San Juan            )

Bruce L. Shumway, 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 Recapture Pocket East Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1964, it followed the same route as in 2007, when I last observed it. Attached is a San Juan County map showing Recapture Pocket East 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 1964 continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including: automobile, truck, recreational vehicle, and others. Throughout this time period, the road was used weekly.

5. Throughout the time period from 1964 to 2007, I have used the road myself for the following uses: recreation, sight-seeing, and four-wheeling.

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: oil and gas exploration and livestock operations.

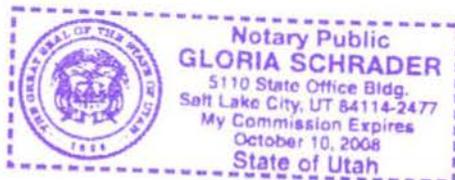
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the graded surface prior to 1976.

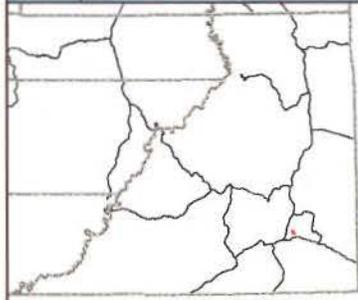
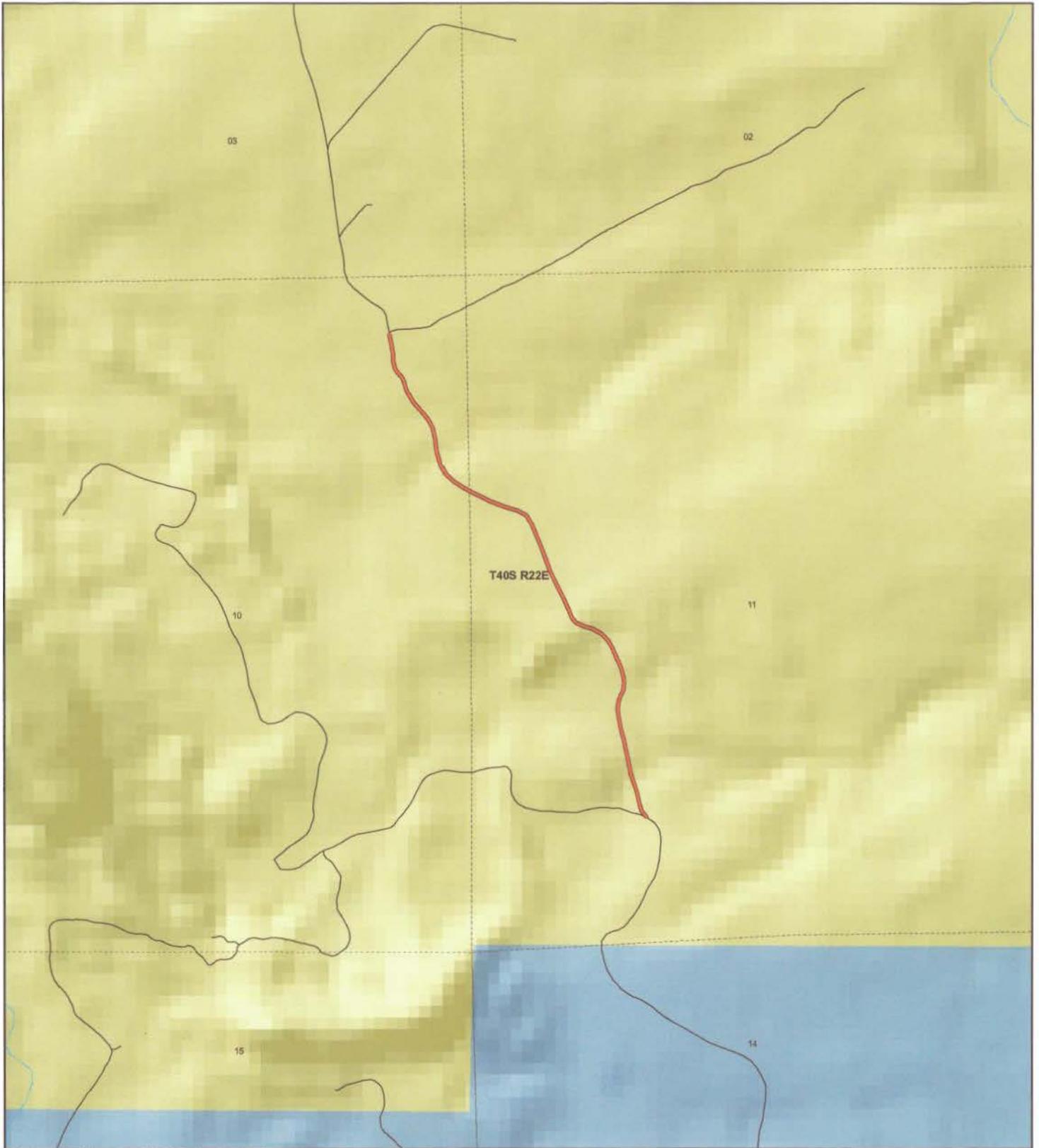
Dated this 19<sup>th</sup> day of September, 2007.

  
Bruce L. Shumway

SUBSCRIBED AND SWORN TO before me this 19<sup>th</sup> day of September, 2007.



  
Notary Public



**RECAPTURE POCKET EAST**  
**County Unique - B2801**

**Land Ownership Categories**

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

**Transportation Network**

- RECAPTURE POCKET EAST
- State / U.S. Highway
- Local Roads

**Misc**

- City / Town
- Municipalities
- Section = 1 Mile



1:12,181  
 1 inch equals 0.2 miles  
 Aug 01, 2007

**AFFIDAVIT OF ALBERT E. STEELE**  
**RECAPTURE POCKET EAST ROAD**  
**SAN JUAN COUNTY, UTAH**  
**COUNTY ROAD NUMBER B2801**

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 Recapture Pocket East 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 1984, when I last observed it. Attached is a San Juan County map showing Recapture Pocket East 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 1984. 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 1984.

5. Throughout the time period from 1960 to 1984, 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, tourism, hunting, oil and gas exploration, and traveling in and through the area.

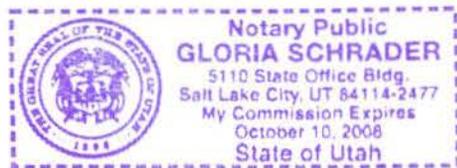
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1940's and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the graded surface prior to 1976.

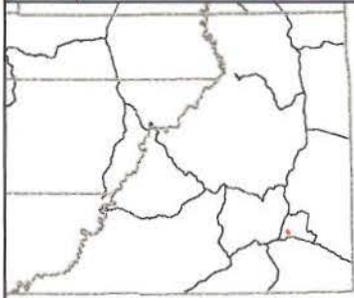
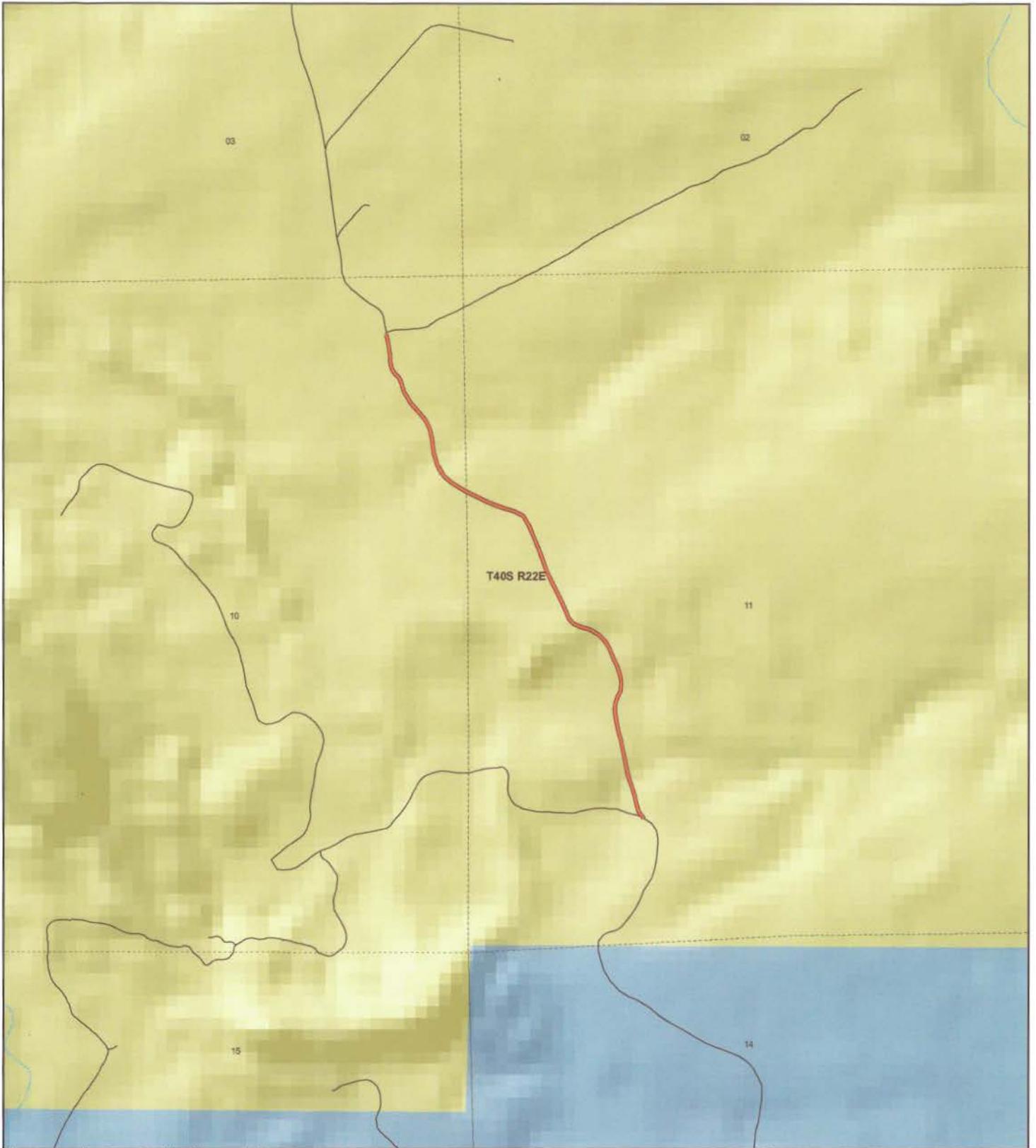
Dated this 18<sup>th</sup> day of September, 2007.

Albert E. Steele  
Albert E. Steele

SUBSCRIBED AND SWORN TO before me this 18<sup>th</sup> day of September, 2007.



Gloria Schrader  
Notary Public



**RECAPTURE POCKET EAST**  
**County Unique - B2801**

**Land Ownership Categories**

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

**Transportation Network**

- RECAPTURE POCKET EAST
- State / U.S. Highway
- Local Roads

**Misc**

- City / Town
- Municipalities
- Section = 1 Mile



1:12,181  
 1 inch equals 0.2 miles  
 Aug 01, 2007

## Appendix A to Attachment 4

**Popular Name: RECAPTURE POCKET EAST ROAD**

**County: San Juan**

**County Road Number: B2801**

**State Geographic Information Database (SGID) Road Identification Number: RD190313.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.88 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) 10,11, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (RECAPTURE POCKET EAST 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 19 minutes 09.19 seconds North Latitude and -109 degrees 28 minutes 017.1 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,230,287.2 feet and Y = 10,086,503.4 feet; thence the following courses along the said road center line:

thence North 43 Degrees 46 Minutes 04 Seconds West 8.6 feet  
thence North 38 Degrees 52 Minutes 14 Seconds West 55.8 feet  
thence North 15 Degrees 52 Minutes 14 Seconds West 66.1 feet  
thence North 13 Degrees 20 Minutes 57 Seconds West 72.8 feet  
thence North 18 Degrees 30 Minutes 18 Seconds West 72.5 feet  
thence North 19 Degrees 48 Minutes 07 Seconds West 67.9 feet  
thence North 13 Degrees 42 Minutes 30 Seconds West 35.4 feet  
thence North 13 Degrees 04 Minutes 24 Seconds West 17.8 feet  
thence North 14 Degrees 47 Minutes 10 Seconds West 10.5 feet  
thence North 10 Degrees 53 Minutes 22 Seconds West 50.1 feet  
thence North 11 Degrees 55 Minutes 24 Seconds West 62 feet

thence North 11 Degrees 51 Minutes 23 Seconds West 64 feet  
thence North 12 Degrees 20 Minutes 47 Seconds West 61.4 feet  
thence North 15 Degrees 23 Minutes 42 Seconds West 65.6 feet  
thence North 14 Degrees 13 Minutes 16 Seconds West 69.6 feet  
thence North 10 Degrees 07 Minutes 06 Seconds West 63.6 feet  
thence North 07 Degrees 21 Minutes 42 Seconds West 58.9 feet  
thence North 06 Degrees 53 Minutes 38 Seconds East 54.9 feet  
thence North 22 Degrees 02 Minutes 27 Seconds East 44 feet  
thence North 23 Degrees 46 Minutes 17 Seconds East 61.1 feet  
thence North 02 Degrees 42 Minutes 36 Seconds East 74.6 feet  
thence North 12 Degrees 58 Minutes 28 Seconds West 62.9 feet  
thence North 19 Degrees 49 Minutes 06 Seconds West 50.1 feet  
thence North 23 Degrees 42 Minutes 04 Seconds West 79.4 feet  
thence North 22 Degrees 41 Minutes 45 Seconds West 78.4 feet  
thence North 32 Degrees 05 Minutes 11 Seconds West 67.9 feet  
thence North 44 Degrees 03 Minutes 03 Seconds West 73.6 feet  
thence North 59 Degrees 35 Minutes 28 Seconds West 80.9 feet  
thence North 73 Degrees 35 Minutes 26 Seconds West 69.6 feet  
thence North 69 Degrees 03 Minutes 01 Seconds West 65.1 feet  
thence North 42 Degrees 03 Minutes 05 Seconds West 61.1 feet  
thence North 23 Degrees 40 Minutes 17 Seconds West 62.9 feet  
thence North 23 Degrees 39 Minutes 59 Seconds West 81.1 feet  
thence North 26 Degrees 19 Minutes 41 Seconds West 91.3 feet  
thence North 27 Degrees 28 Minutes 59 Seconds West 97.7 feet  
thence North 25 Degrees 09 Minutes 55 Seconds West 88.2 feet  
thence North 20 Degrees 44 Minutes 55 Seconds West 89.3 feet  
thence North 20 Degrees 35 Minutes 54 Seconds West 96.6 feet  
thence North 22 Degrees 00 Minutes 52 Seconds West 102.1 feet  
thence North 23 Degrees 46 Minutes 29 Seconds West 94.8 feet  
thence North 32 Degrees 03 Minutes 59 Seconds West 86.1 feet  
thence North 60 Degrees 44 Minutes 36 Seconds West 81.1 feet  
thence North 74 Degrees 12 Minutes 27 Seconds West 79.2 feet  
thence North 72 Degrees 21 Minutes 11 Seconds West 75.5 feet  
thence North 67 Degrees 29 Minutes 41 Seconds West 71.9 feet  
thence North 64 Degrees 20 Minutes 07 Seconds West 71.9 feet  
thence North 63 Degrees 32 Minutes 27 Seconds West 80.1 feet  
thence North 62 Degrees 11 Minutes 34 Seconds West 32.9 feet  
thence North 62 Degrees 10 Minutes 11 Seconds West 52.7 feet  
thence North 59 Degrees 49 Minutes 36 Seconds West 81.5 feet  
thence North 46 Degrees 34 Minutes 54 Seconds West 84 feet  
thence North 28 Degrees 17 Minutes 04 Seconds West 95.9 feet  
thence North 16 Degrees 06 Minutes 54 Seconds West 106.1 feet  
thence North 08 Degrees 02 Minutes 49 Seconds West 100 feet  
thence North 12 Degrees 15 Minutes 35 Seconds West 87.2 feet  
thence North 25 Degrees 52 Minutes 32 Seconds West 75.3 feet  
thence North 38 Degrees 25 Minutes 24 Seconds West 63.8 feet  
thence North 42 Degrees 04 Minutes 33 Seconds West 61.6 feet  
thence North 39 Degrees 43 Minutes 59 Seconds West 62 feet  
thence North 33 Degrees 13 Minutes 15 Seconds West 46.5 feet

thence North 28 Degrees 46 Minutes 33 Seconds West 39.9 feet  
thence North 21 Degrees 28 Minutes 37 Seconds West 43.6 feet  
thence North 16 Degrees 24 Minutes 23 Seconds West 35.5 feet  
thence North 18 Degrees 58 Minutes 57 Seconds West 25.6 feet  
thence North 30 Degrees 09 Minutes 04 Seconds West 25.7 feet  
thence North 44 Degrees 38 Minutes 58 Seconds West 39.9 feet  
thence North 35 Degrees 12 Minutes 06 Seconds West 43.6 feet  
thence North 16 Degrees 49 Minutes 12 Seconds West 9.2 feet  
thence North 13 Degrees 48 Minutes 41 Seconds West 16.9 feet  
thence North 12 Degrees 02 Minutes 27 Seconds West 17.8 feet  
thence North 05 Degrees 36 Minutes 21 Seconds West 17.8 feet  
thence North 03 Degrees 17 Minutes 22 Seconds West 25.3 feet  
thence North 04 Degrees 42 Minutes 52 Seconds West 21.4 feet  
thence North 04 Degrees 53 Minutes 22 Seconds West 24.7 feet  
thence North 11 Degrees 01 Minutes 44 Seconds West 12.4 feet  
thence North 11 Degrees 16 Minutes 11 Seconds West 31.1 feet  
thence North 10 Degrees 15 Minutes 07 Seconds West 45.6 feet  
thence North 10 Degrees 22 Minutes 12 Seconds West 47 feet  
thence North 10 Degrees 29 Minutes 28 Seconds West 13 feet more or less to **the ending point**

**at:** 37 degrees 19 minutes 47.44 seconds North Latitude and -109 degrees 28 minutes 41.51 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,228,232.3 feet and Y = 10,090,329.4 feet.