

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

00165794
 B: 485 P: 781 Fee \$0.00
 Connie Hansen, Millard Recorder Page 1 of 13
 05/14/2008 10:27:43 AM By UT STATE GOVERNOR



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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Millard County as it pertains to the highway located in Millard County known as Popeye Valley Road; County Road Number: MC3921; State Geographic Information Database (SGID) Road Identification Number: RD142289. Total road length is 3.41 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 23rd 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.

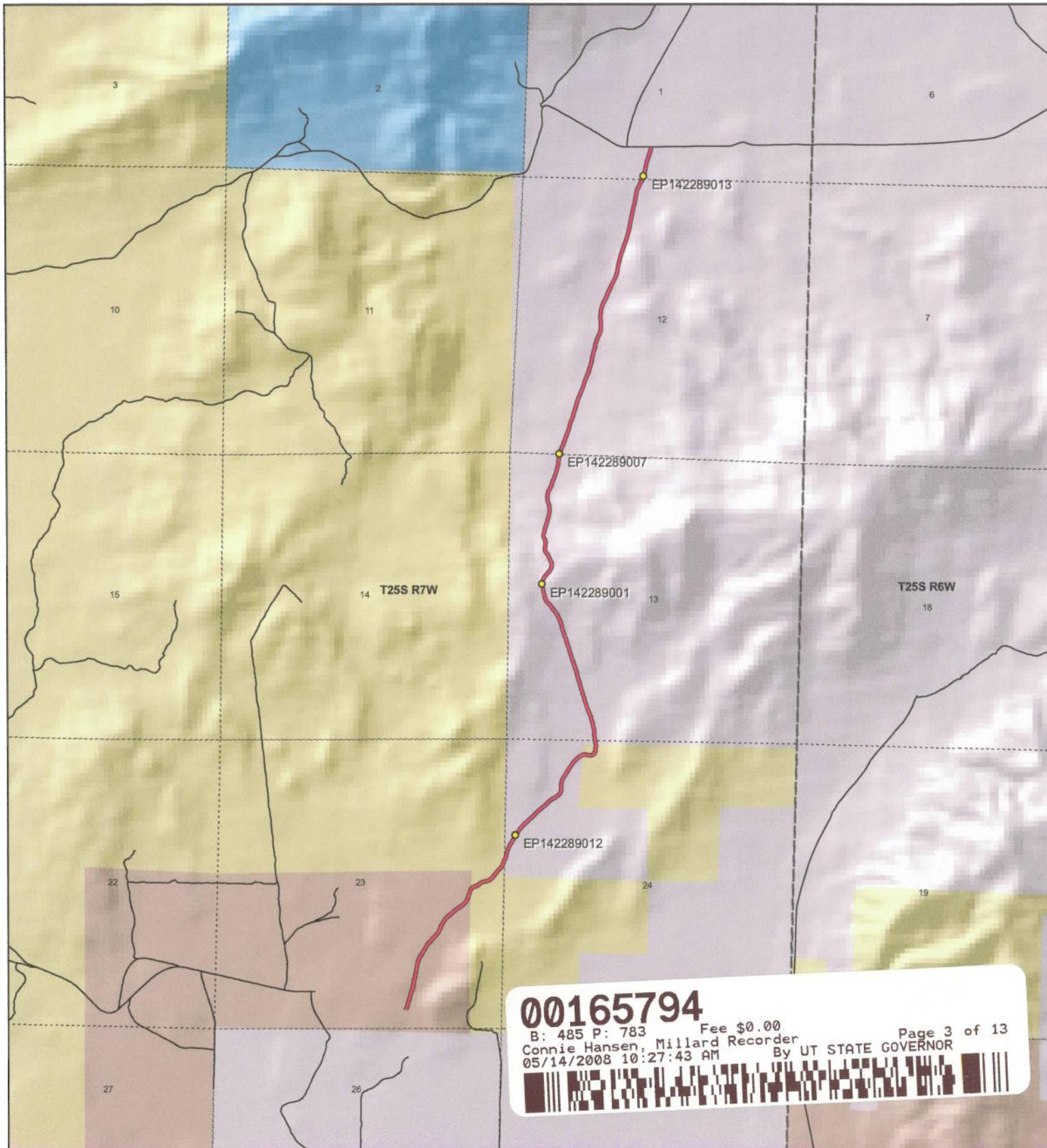
Dated this 23rd day of April, 2008.





Notary Public





00165794
 B: 485 P: 783 Fee \$0.00
 Connie Hansen, Millard Recorder
 05/14/2008 10:27:43 AM
 By UT STATE GOVERNOR
 Page 3 of 13

1:28,766
 1 inch equals 0.5 miles



Popeye Valley Road - Millard County
SGID RD_ID RD142289

| Land Ownership Categories | | Transportation Network |
|------------------------------------------------------------------|-------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| ● BLM | ◆ Wilderness | — Popeye Valley Road |
| ● Private | ◆ UDWR Wildlife Reserve | — Title V: Issued Or Under Consideration By BLM Or County |
| ◆ SITLA, State Trust Land | ◆ DOD, Military | — Other Roads |
| ◆ USFS, National Forest | ◆ State Sovereign Land | ● Photo Event Point |
| ◆ State Parks and Recreation | ◆ National Recreation Area | Section = 1 Mile |
| ◆ Tribal, Indian Reservation | ◆ USFWS, Natl. Wildlife Refuge | |
| ◆ NPS, National Park | | |

Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Nov 26, 2006

Attachment 2



EP142289001



EP142289007



EP142289013



EP142289012

00165794

B: 485 P: 784 Fee \$0.00 Page 4 of 13
Connie Hansen, Millard Recorder
05/14/2008 10:27:43 AM By UT STATE GOVERNOR



EP000000000

EP000000000

Popeye Valley Road - Millard County
SGID RD_ID RD142289

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
November 24, 2006



Attachment 3

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

Popular Name: Popeye Valley Road

County: Millard

County Road Number: MC3921

State Geographic Information Database (SGID) Road Identification Number: RD142289.

Total Road Length: 3.41 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 36 minutes 53.98 seconds North Latitude and -112 degrees 36 minutes 21.55 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,324,360.4 feet and Y = 6,666,217.6 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 39 minutes 31.54 seconds North Latitude and -112 degrees 35 minutes 27.79 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,328,822.1 feet and Y = 6,682,105.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 25 South Range 7 West, Section(s) 1,12,13,23,24, Salt Lake Base & Meridian
See Attachment 1 above for a cartographic depiction of the course of this road.

00165794

B: 485 P: 785 Fee \$0.00

Connie Hansen, Millard Recorder

05/14/2008 10:27:43 AM

By UT STATE GOVERNOR

Page 5 of 13



**Attachment 4
Road Centerline Description Cover Page(s)**

Popular Name: Popeye Valley Road

County: Millard

County Road Number: MC3921

State Geographic Information Database (SGID) Road Identification Number: RD142289.

Total Road Length: 3.41 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 |
|------------------------------------------------------------------------------------|---------------------------------|--------------------------------------------------|-------------------------------------------|----------------------------------|
| RD142289 | 001 | Tribal | 0.49 Miles | (not shown) |
| RD142289 | 002 | BLM | 0.16 Miles | A |
| RD142289 | 003 | PVT | 0.48 Miles | (not shown) |
| RD142289 | 004 | BLM | 0.08 Miles | B |
| RD142289 | 005 | PVT | 2.2 Miles | (not shown) |
| | | Total Road Length | 3.41 | _____ |

* 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.

00165794

B: 485 P: 786 Fee \$0.00
 Connie Hansen, Millard Recorder Page 6 of 13
 05/14/2008 10:27:43 AM By UT STATE GOVERNOR



Attachment 5

00165794

B: 485 P: 787 Fee \$0.00
Connie Hansen, Millard Recorder
05/14/2008 10:27:43 AM By UT STATE GOVERNOR Page 7 of 13



**AFFIDAVIT OF JOHN LARSEN
POPEYE VALLEY ROAD
MILLARD COUNTY, UTAH
ROAD NUMBER MC3921**

State of Utah)
 : ss
County of Millard)

JOHN LARSEN, 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 Millard County, Utah. I have lived in Millard County for forty-six years. I have been an employee of the Millard County Road Department since June 1980 to present and have participated in maintenance of the road during that time.

2. I have traveled and am familiar with a road in Millard County known as the Popeye Valley Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1962, it followed the same route as in 2006 when I last observed it. Attached is a Millard County map showing Popeye Valley 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 1962 and continuing through 1976 to the present. 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 daily for more than ten continuous years prior to 1976, and is presently used weekly.

5. Throughout the time period from 1962 to the present, I have used the road myself for the following uses: hunting, camping, gathering fire wood, and recreation.

00165794

B: 485 P: 788 Fee \$0.00
Connie Hansen, Millard Recorder
05/14/2008 10:27:43 AM By UT STATE GOVERNOR Page 8 of 13



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, prospecting for minerals, livestock operations, farming, trapping, tourism, government access, picnicking, hiking and sightseeing.

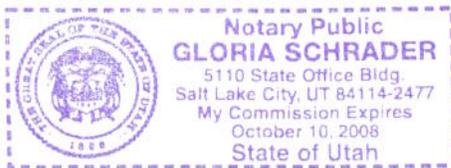
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1900 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of maintenance/construction activities on the road prior to 1976: Prior to 1976 I have observed the road being graded and maintained and since 1980 I have personally graded the road.

DATED this 4 day of December, 2006.


JOHN LARSEN

SUBSCRIBED AND SWORN to before me this 4th day of December, 2006.




NOTARY PUBLIC

00165794

B: 485 P: 789 Fee \$0.00 Page 9 of 13
Connie Hansen, Millard Recorder By UT STATE GOVERNOR
05/14/2008 10:27:43 AM



**ROAD = MC3921
POPEYE VALLEY ROAD**

Dog Valley

138

00165794

B: 485 P: 790 Fee \$0.00
Connie Hansen, Millard Recorder
05/14/2008 10:27:43 AM By UT STATE GOVERNOR Page 10 of 13



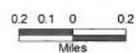
135

Cove Fort

M I L L A R D C O U N T Y

— B Class Road of Interest

- Interstate
- County Border
- Township & Range Line
- Highway Major
- River
- Forest Service Lands
- Highway Minor
- / / / Cities / Towns
- BLM Lands
- B Class Road
- Lakes
- State Trust Lands
- - - Unimproved Road
- Lakes - Intermittent
- Private Lands



**AFFIDAVIT OF DEAN LARSEN
POPEYE VALLEY ROAD
MILLARD COUNTY, UTAH
ROAD NUMBER MC3921**

State of Utah)
 : ss.
County of Millard)

DEAN LARSEN, 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 Holden, Millard County, Utah. I have lived in Millard County for forty-six years.

2. I have traveled and am familiar with a road in Millard County known as the Popeye Valley 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 1996 when I last observed it. Attached is a Millard County map showing Popeye Valley 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 1996. 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 was so used through 1996.

5. Throughout the time period from the early 1960s to 1996, I have used the road myself for the following uses: hunting, camping, gathering fire wood, rock hounding, and

00165794

B: 485 P: 791 Fee \$0.00
Connie Hansen, Millard Recorder Page 11 of 13
05/14/2008 10:27:43 AM By UT STATE GOVERNOR



recreation.

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, prospecting for minerals, livestock operations, farming, trapping, tourism, government access, picnicking, hiking and sightseeing.

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 1900 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

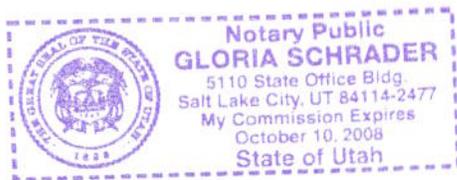
8. I observed the following evidence of maintenance/construction activities on the road prior to 1976: I have observed the graded surface of the road.

DATED this 7 day of December, 2006.



DEAN LARSEN

SUBSCRIBED AND SWORN to before me this 4th day of December, 2006.



NOTARY PUBLIC

00165794

B: 485 P: 792 Fee \$0.00
Connie Hansen, Millard Recorder
05/14/2008 10:27:43 AM By UT STATE GOVERNOR Page 12 of 13



ROAD = MC3921
POPEYE VALLEY ROAD

Dog
Valley

138

00165794
 B: 485 P: 793 Fee \$0.00
 Connie Hansen, Millard Recorder
 05/14/2008 10:27:43 AM By UT STATE GOVERNOR



15

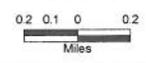
135

Cove
Fort

M I L L A R D C O U N T Y

— B Class Road of Interest

- | | | |
|-------------------|------------------------|-------------------------|
| — Interstate | — County Border | — Township & Range Line |
| — Highway Major | — River | — Forest Service Lands |
| — Highway Minor | — Cities / Towns | — BLM Lands |
| — B Class Road | — Lakes | — State Trust Lands |
| — Unimproved Road | — Lakes - Intermittent | — Private Lands |



Appendix A to Attachment 4

Popular Name: Popeye Valley Road
County: Millard
County Road Number: MC3921
State Geographic Information Database (SGID) Road Identification Number: RD142289.
Road-Segment Number: 002
Road-Segment Length: 0.16 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 25 South Range 7 West, Section(s) 23, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Popeye Valley Road)-- Segment 002 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 37 minutes 15.99 seconds North Latitude and -112 degrees 36 minutes 7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,325,543.3 feet and Y = 6,668,430.4 feet; thence the following courses along the said road center line:

thence North 24 Degrees 28 Minutes 51 Seconds East 4.7 feet
thence North 36 Degrees 15 Minutes 02 Seconds East 34.7 feet
thence North 57 Degrees 28 Minutes 37 Seconds East 35.7 feet
thence North 71 Degrees 43 Minutes 27 Seconds East 39.3 feet
thence North 67 Degrees 44 Minutes 18 Seconds East 42.1 feet
thence North 50 Degrees 51 Minutes 08 Seconds East 45.5 feet
thence North 55 Degrees 06 Minutes 48 Seconds East 46.2 feet
thence North 70 Degrees 59 Minutes 38 Seconds East 43 feet
thence North 81 Degrees 38 Minutes 19 Seconds East 42.1 feet
thence North 75 Degrees 12 Minutes 20 Seconds East 39.3 feet
thence North 60 Degrees 51 Minutes 27 Seconds East 44.2 feet
thence North 44 Degrees 27 Minutes 50 Seconds East 55 feet

thence North 35 Degrees 09 Minutes 55 Seconds East 56 feet
thence North 38 Degrees 12 Minutes 00 Seconds East 53.3 feet
thence North 41 Degrees 29 Minutes 05 Seconds East 53.7 feet
thence North 43 Degrees 01 Minutes 41 Seconds East 55.5 feet
thence North 35 Degrees 43 Minutes 59 Seconds East 58 feet
thence North 25 Degrees 32 Minutes 10 Seconds East 57.2 feet
thence North 20 Degrees 44 Minutes 35 Seconds East 27.4 feet more or less to **the ending**

point at: 38 degrees 37 minutes 21.19 seconds North Latitude and -112 degrees 35 minutes 59.44 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,326,149.8 feet and Y = 6,668,949.1 feet.

Appendix B to Attachment 4

Popular Name: Popeye Valley Road

County: Millard

County Road Number: MC3921

State Geographic Information Database (SGID) Road Identification Number: RD142289.

Road-Segment Number: 004

Road-Segment Length: 0.08 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 25 South Range 7 West, Section(s) 24, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Popeye Valley Road)-- Segment 004 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 37 minutes 40.82 seconds North Latitude and -112 degrees 35 minutes 41.55 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,327,593.5 feet and Y = 6,670,916.7 feet; thence the following courses along the said road center line:

| | |
|----------------------------------------------------|-----------|
| thence North 66 Degrees 54 Minutes 32 Seconds East | 24.6 feet |
| thence South 86 Degrees 59 Minutes 00 Seconds East | 39.8 feet |
| thence South 76 Degrees 28 Minutes 20 Seconds East | 42.6 feet |
| thence South 82 Degrees 27 Minutes 18 Seconds East | 45.7 feet |
| thence North 78 Degrees 23 Minutes 44 Seconds East | 36.8 feet |
| thence North 61 Degrees 51 Minutes 28 Seconds East | 19.7 feet |
| thence North 49 Degrees 53 Minutes 59 Seconds East | 10.3 feet |
| thence North 43 Degrees 37 Minutes 28 Seconds East | 12.3 feet |
| thence North 37 Degrees 34 Minutes 49 Seconds East | 11.2 feet |
| thence North 29 Degrees 27 Minutes 01 Seconds East | 10.6 feet |
| thence North 21 Degrees 04 Minutes 34 Seconds East | 8.1 feet |
| thence North 18 Degrees 59 Minutes 44 Seconds East | 7 feet |

thence North 16 Degrees 12 Minutes 35 Seconds East 9.2 feet
thence North 14 Degrees 19 Minutes 35 Seconds East 7.8 feet
thence North 08 Degrees 47 Minutes 45 Seconds East 8.3 feet
thence North 09 Degrees 29 Minutes 16 Seconds East 9.7 feet
thence North 08 Degrees 52 Minutes 04 Seconds East 10.3 feet
thence North 06 Degrees 32 Minutes 53 Seconds East 8.3 feet
thence North 12 Degrees 30 Minutes 35 Seconds East 7.4 feet
thence North 08 Degrees 27 Minutes 06 Seconds East 8.6 feet
thence North 03 Degrees 04 Minutes 19 Seconds East 5.6 feet
thence North 06 Degrees 24 Minutes 55 Seconds East 5.6 feet
thence North 06 Degrees 32 Minutes 53 Seconds East 8.3 feet
thence North 07 Degrees 28 Minutes 14 Seconds East 7.3 feet
thence North 04 Degrees 16 Minutes 46 Seconds East 8.2 feet
thence North 01 Degrees 17 Minutes 48 Seconds East 11.8 feet
thence North 03 Degrees 43 Minutes 41 Seconds West 16.4 feet
thence North 07 Degrees 36 Minutes 00 Seconds West 12.9 feet
thence North 05 Degrees 29 Minutes 19 Seconds West 3.6 feet more or less to **the ending point**

at: 38 degrees 37 minutes 42.86 seconds North Latitude and -112 degrees 35 minutes 38.44 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,327,842.9 feet and Y = 6,671,120.5 feet.