

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

Recorded JUN 10 2008 Filing No. 74741
At 1:50 ~~AM~~/PM in Book 710 Page 988
Fee No Fee Debra L. Ames Rich County Recorder
Requested by 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Rich County as it pertains to the highway located in Rich County known as RABBIT CREEK ROAD; County Road Number: BR20; State Geographic Information Database (SGID) Road Identification Number: RD170059. Total road length is 6.73 miles more or less.

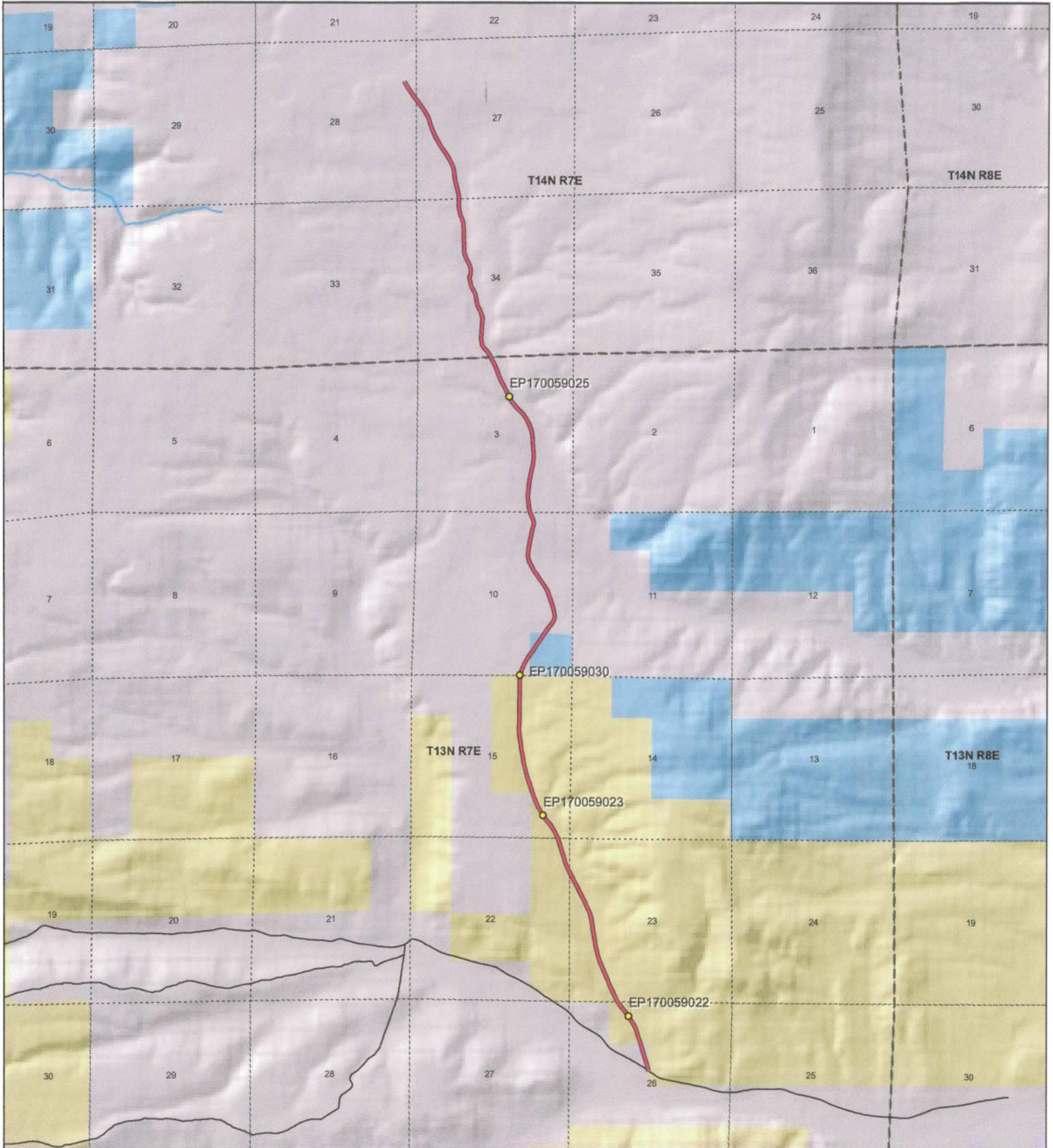
The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) 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



RABBIT CREEK ROAD - Rich County
SGID RD_ID RD170059

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Tribal, Indian Reservation
- NPS, National Park
- ◆ Wilderness
- ◆ UDWR Wildlife Reserve
- ◆ DOD, Military
- ◆ State Sovereign Land
- ◆ National Recreation Area
- ◆ USFWS, Natl. Wildlife Refuge

Transportation Network

- RABBIT CREEK ROAD
- Title V: Issued Or Under Consideration By BLM Or County
- Other Roads
- Photo Event Point
- Section = 1 Mile



1:51,936

1 inch equals 0.8 miles



Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Nov 27, 2006



Attachment 2



EP170059022



EP170059023



EP170059025



EP170059030

EP000000000

EP000000000

Rabbit Creek Road - Rich County
SGID RD_ID RD170059

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
November 9, 2006



Attachment 3

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

Popular Name: RABBIT CREEK ROAD

County: Rich

County Road Number: BR20

State Geographic Information Database (SGID) Road Identification Number: RD170059.

Total Road Length: 6.73 miles more or less.

Beginning at a point on the road centerline located at 41 degrees 50 minutes 23.22 seconds North Latitude and -111 degrees 07 minutes 08.17 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,744,257.6 feet and Y = 3,829,937.6 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 55 minutes 47.89 seconds North Latitude and -111 degrees 08 minutes 56.63 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,735,915.0 feet and Y = 3,862,767.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 13 North Range 7 East, Section(s) 3,10,15,22,23,26, Salt Lake Base & Meridian

Township 14 North Range 7 East, Section(s) 27,28,34, 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: RABBIT CREEK ROAD

County: Rich

County Road Number: BR20

State Geographic Information Database (SGID) Road Identification Number: RD170059.

Total Road Length: 6.73 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
RD170059	001	BLM	0 Miles	A
RD170059	002	PVT	0.17 Miles	(not shown)
RD170059	003	BLM	2.49 Miles	B
RD170059	004	PVT	0.14 Miles	(not shown)
RD170059	005	ST	0.17 Miles	(not shown)
RD170059	006	PVT	3.75 Miles	(not shown)
		Total Road Length	6.73	_____

* 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 N. SETH WESTON

RABBIT CREEK ROAD

RICH COUNTY, UTAH

ROAD NUMBER BR20

State of Utah)
 : ss.
County of Rich)

N. SETH WESTON, 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 Rich County, Utah. I have lived in Rich County all of my life for the past 66 years.

2. I have traveled and am familiar with a road in Rich County known as Rabbit Creek Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950s, it followed the same route as in 2008 when I last observed it. Attached is a Rich County map showing Rabbit Creek 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 2008. Throughout this time period I have observed travel on the road by means of cars, trucks, pickup trucks, snow mobiles and ATVs. Throughout this time period, the road has been used daily weather permitting for more than ten continuous years prior to 1976, and is presently used daily, weather permitting.

5. Throughout the time period from the late 1950s to 2008, I have used the road myself for farming, livestock operations, traveling in and through the area and hunting

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 mining, oil and gas exploration, recreation.

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

8. Prior to 1976, I observed graders and maintenance equipment performing maintenance and construction activities on the road.

DATED this 10 day of March, 2008.



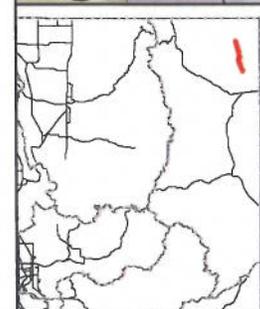
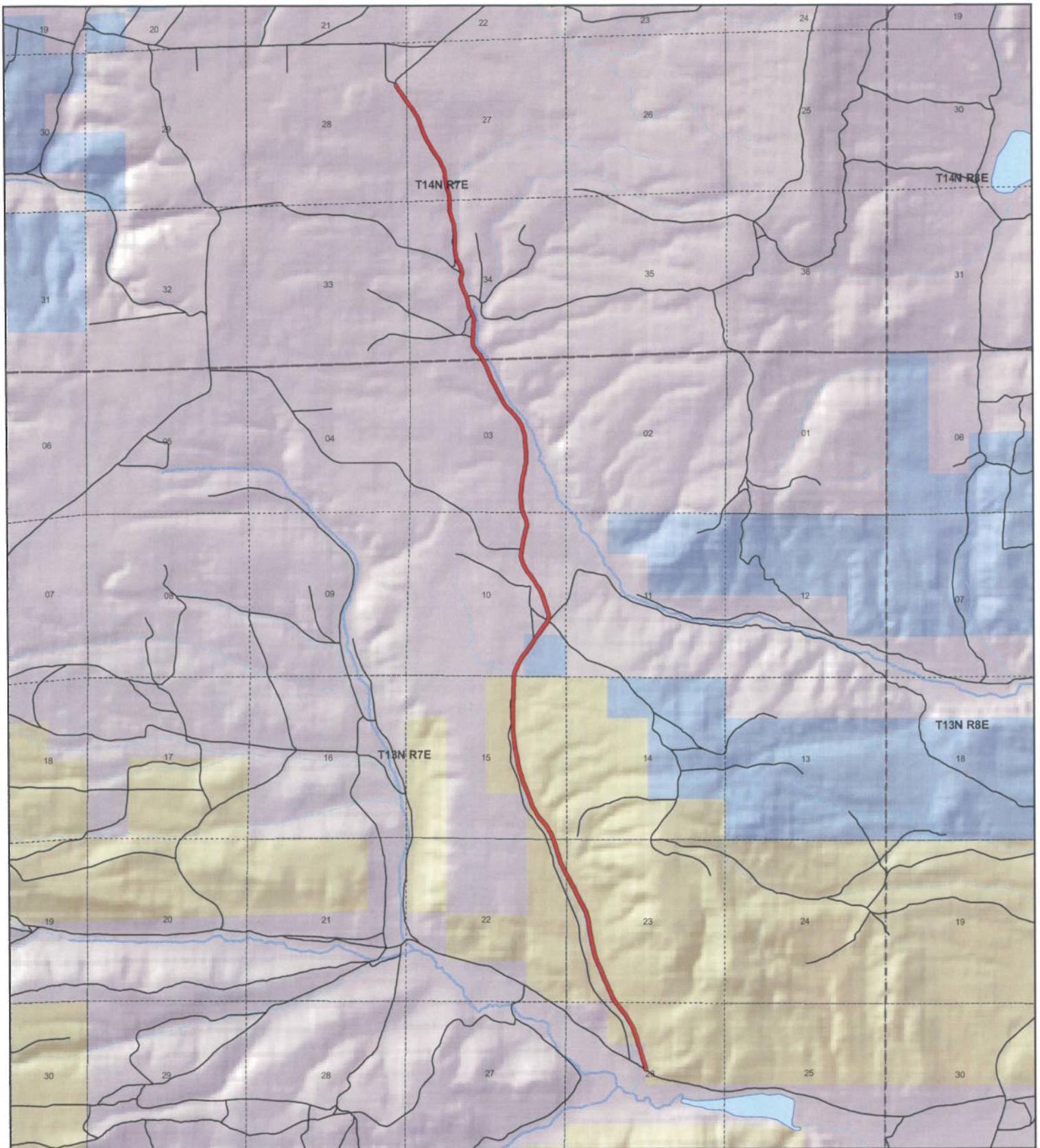
N. SETH WESTON

SUBSCRIBED AND SWORN to before me this 10th day of March, 2008.





NOTARY PUBLIC



Rich County
RABBIT CREEK ROAD
County Unique - BR20

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- State Park

Transportation Network

- RABBIT CREEK ROAD
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile



1:51,234
 1 inch equals 0.8 miles



Map prepared by the State of Utah
 AGRC
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Mar 05, 2008



AFFIDAVIT OF TERRY WILLIS

RABBIT CREEK ROAD

RICH COUNTY, UTAH

ROAD NUMBER BR20

State of Utah)
 : ss.
County of Rich)

TERRY WILLIS, 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 Rich County, Utah. I have lived in Rich County all of my life, for the last 65 years.

2. I have traveled and am familiar with a road in Rich County known as Rabbit Creek 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 Rich County map showing Rabbit Creek 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 means of cars, trucks, and pickup trucks. Throughout this time period, the road has been used daily weather permitting for more than ten continuous years prior to 1976, and is presently used daily, weather permitting.

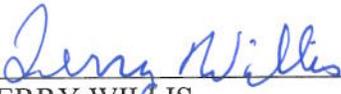
5. Throughout the time period from the early 1960s to 2007, I have used the road myself for, recreation and hunting.

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 dry farming, livestock operations, government access and oil and gas exploration.

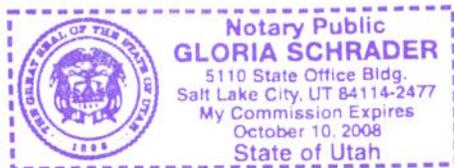
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs. My father bought the Six Mile Ranch near the road in 1936.

8. Prior to 1976, I observed graders and maintenance equipment performing maintenance and construction activities on the road.

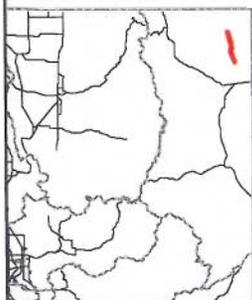
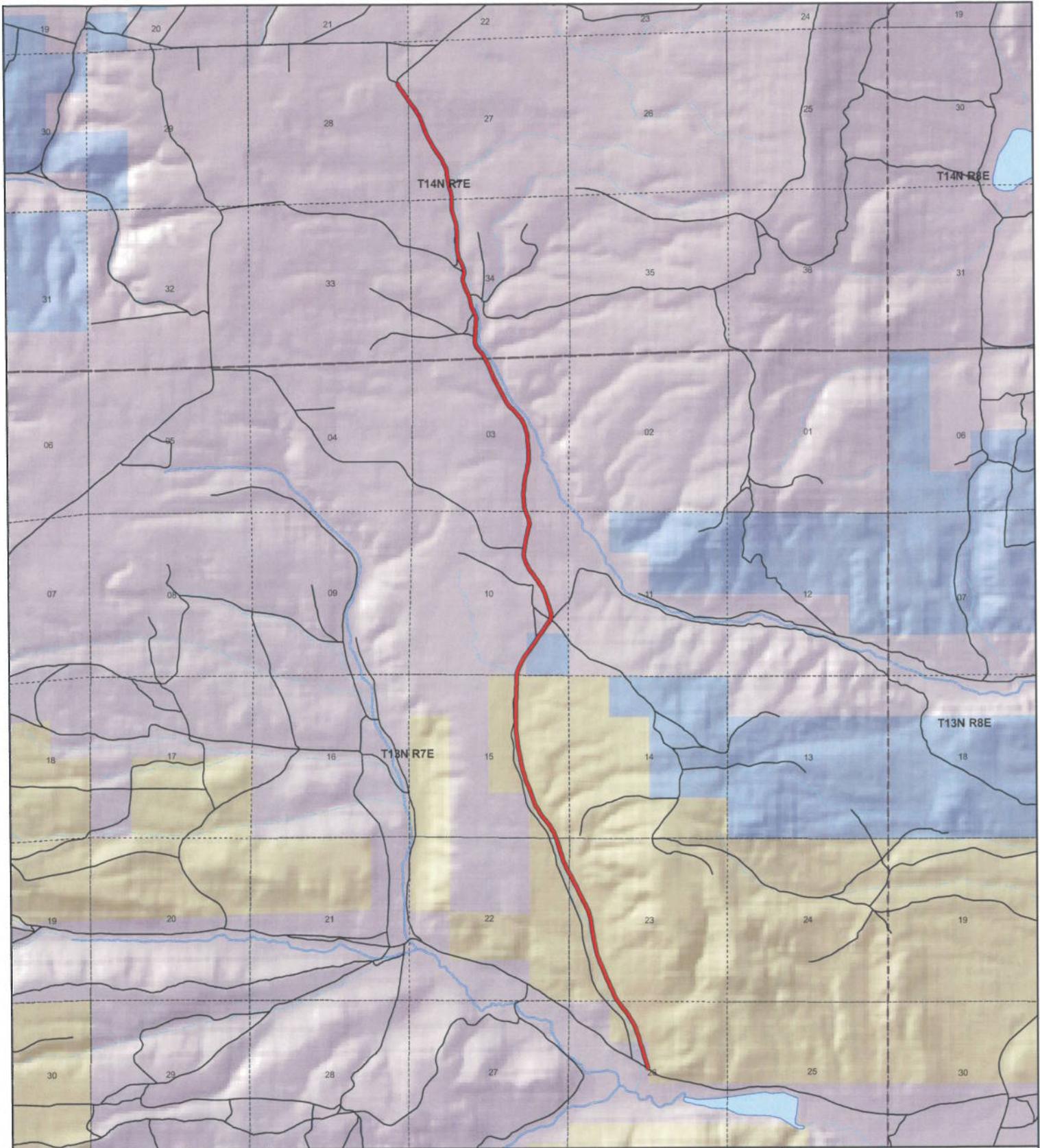
DATED this 10 day of March, 2008.


TERRY WILLIS

SUBSCRIBED AND SWORN to before me this 10th day of March, 2008.




NOTARY PUBLIC



Rich County
RABBIT CREEK ROAD
County Unique - BR20

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- State Park

Transportation Network

- RABBIT CREEK ROAD
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile

1000



1:51,234
 1 inch equals 0.8 miles



Map prepared by the State of Utah
 AGRC
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Mar 05, 2008



Appendix A to Attachment 4

Popular Name: RABBIT CREEK ROAD

County: Rich

County Road Number: BR20

State Geographic Information Database (SGID) Road Identification Number: RD170059.

Road-Segment Number: 001

Road-Segment Length: 0 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 13 North Range 7 East, Section(s) 26, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (RABBIT CREEK 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 41 degrees 50 minutes 23.22 seconds North Latitude and -111 degrees 07 minutes 08.17 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,744,257.6 feet and Y = 3,829,937.6 feet; thence the following courses along the said road center line:

thence North 21 Degrees 34 Minutes 27 Seconds West 14.4 feet more or less to **the ending point at:** 41 degrees 50 minutes 23.35 seconds North Latitude and -111 degrees 07 minutes 08.24 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,744,252.3 feet and Y = 3,829,951.0 feet.

Appendix B to Attachment 4

Popular Name: RABBIT CREEK ROAD

County: Rich

County Road Number: BR20

State Geographic Information Database (SGID) Road Identification Number: RD170059.

Road-Segment Number: 003

Road-Segment Length: 2.49 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 13 North Range 7 East, Section(s) 15,22,23,26, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (RABBIT CREEK ROAD)-- Segment 003 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 41 degrees 50 minutes 32.05 seconds North Latitude and -111 degrees 07 minutes 11.72 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,743,984.5 feet and Y = 3,830,830.3 feet; thence the following courses along the said road center line:

thence North 17 Degrees 20 Minutes 54 Seconds West 81.4 feet
thence North 18 Degrees 19 Minutes 29 Seconds West 134.9 feet
thence North 18 Degrees 59 Minutes 18 Seconds West 133.4 feet
thence North 18 Degrees 51 Minutes 22 Seconds West 131.2 feet
thence North 21 Degrees 48 Minutes 26 Seconds West 129.1 feet
thence North 28 Degrees 00 Minutes 26 Seconds West 128.6 feet
thence North 32 Degrees 21 Minutes 04 Seconds West 131.2 feet
thence North 33 Degrees 47 Minutes 24 Seconds West 135.7 feet
thence North 36 Degrees 13 Minutes 44 Seconds West 139.4 feet
thence North 36 Degrees 59 Minutes 03 Seconds West 139.1 feet
thence North 38 Degrees 25 Minutes 09 Seconds West 138.9 feet

thence North 38 Degrees 06 Minutes 22 Seconds West 132.9 feet
thence North 33 Degrees 15 Minutes 35 Seconds West 11.7 feet
thence North 33 Degrees 18 Minutes 28 Seconds West 112 feet
thence North 26 Degrees 53 Minutes 44 Seconds West 124 feet
thence North 25 Degrees 12 Minutes 51 Seconds West 145.1 feet
thence North 24 Degrees 27 Minutes 50 Seconds West 145.3 feet
thence North 23 Degrees 02 Minutes 22 Seconds West 146.2 feet
thence North 22 Degrees 17 Minutes 35 Seconds West 151.8 feet
thence North 23 Degrees 12 Minutes 48 Seconds West 148.6 feet
thence North 22 Degrees 52 Minutes 49 Seconds West 144.6 feet
thence North 22 Degrees 58 Minutes 15 Seconds West 141.5 feet
thence North 23 Degrees 09 Minutes 29 Seconds West 146.4 feet
thence North 22 Degrees 54 Minutes 44 Seconds West 152.1 feet
thence North 18 Degrees 27 Minutes 31 Seconds West 155.1 feet
thence North 13 Degrees 00 Minutes 08 Seconds West 157.1 feet
thence North 12 Degrees 02 Minutes 09 Seconds West 158.5 feet
thence North 10 Degrees 57 Minutes 27 Seconds West 156.6 feet
thence North 10 Degrees 56 Minutes 06 Seconds West 151.6 feet
thence North 10 Degrees 27 Minutes 35 Seconds West 143.7 feet
thence North 08 Degrees 46 Minutes 03 Seconds West 138.7 feet
thence North 07 Degrees 40 Minutes 43 Seconds West 136 feet
thence North 10 Degrees 07 Minutes 36 Seconds West 138.9 feet
thence North 11 Degrees 46 Minutes 41 Seconds West 134 feet
thence North 15 Degrees 08 Minutes 55 Seconds West 128.3 feet
thence North 23 Degrees 24 Minutes 40 Seconds West 125.6 feet
thence North 26 Degrees 49 Minutes 54 Seconds West 131.7 feet
thence North 26 Degrees 38 Minutes 30 Seconds West 132.5 feet
thence North 26 Degrees 16 Minutes 10 Seconds West 134.3 feet
thence North 26 Degrees 42 Minutes 32 Seconds West 135.2 feet
thence North 27 Degrees 12 Minutes 44 Seconds West 132.8 feet
thence North 26 Degrees 45 Minutes 57 Seconds West 129.8 feet
thence North 27 Degrees 29 Minutes 38 Seconds West 126.5 feet
thence North 27 Degrees 21 Minutes 12 Seconds West 128.6 feet
thence North 26 Degrees 17 Minutes 02 Seconds West 123.7 feet
thence North 27 Degrees 23 Minutes 03 Seconds West 120.5 feet
thence North 27 Degrees 44 Minutes 17 Seconds West 2 feet
thence North 27 Degrees 50 Minutes 07 Seconds West 114.6 feet
thence North 27 Degrees 29 Minutes 58 Seconds West 111.4 feet
thence North 25 Degrees 35 Minutes 57 Seconds West 103.8 feet
thence North 20 Degrees 38 Minutes 06 Seconds West 105 feet
thence North 17 Degrees 37 Minutes 33 Seconds West 114.8 feet
thence North 17 Degrees 13 Minutes 31 Seconds West 119.7 feet
thence North 17 Degrees 35 Minutes 33 Seconds West 121.7 feet
thence North 17 Degrees 29 Minutes 25 Seconds West 121.3 feet
thence North 17 Degrees 11 Minutes 54 Seconds West 117.6 feet
thence North 17 Degrees 33 Minutes 20 Seconds West 113.1 feet
thence North 18 Degrees 00 Minutes 45 Seconds West 102.7 feet
thence North 20 Degrees 58 Minutes 39 Seconds West 2.4 feet
thence North 21 Degrees 07 Minutes 50 Seconds West 98.3 feet

thence North 25 Degrees 23 Minutes 53 Seconds West 112.3 feet
thence North 29 Degrees 01 Minutes 10 Seconds West 114.9 feet
thence North 31 Degrees 31 Minutes 37 Seconds West 110.9 feet
thence North 34 Degrees 51 Minutes 20 Seconds West 118.7 feet
thence North 40 Degrees 05 Minutes 04 Seconds West 139.6 feet
thence North 38 Degrees 44 Minutes 06 Seconds West 149.5 feet
thence North 34 Degrees 34 Minutes 00 Seconds West 152.8 feet
thence North 31 Degrees 32 Minutes 56 Seconds West 152 feet
thence North 28 Degrees 37 Minutes 53 Seconds West 150.2 feet
thence North 24 Degrees 47 Minutes 05 Seconds West 151.4 feet
thence North 21 Degrees 32 Minutes 11 Seconds West 152.4 feet
thence North 19 Degrees 34 Minutes 09 Seconds West 155.4 feet
thence North 19 Degrees 12 Minutes 50 Seconds West 159.2 feet
thence North 20 Degrees 23 Minutes 44 Seconds West 156.9 feet
thence North 20 Degrees 10 Minutes 00 Seconds West 152.8 feet
thence North 18 Degrees 24 Minutes 33 Seconds West 150.2 feet
thence North 15 Degrees 33 Minutes 51 Seconds West 152.4 feet
thence North 12 Degrees 19 Minutes 55 Seconds West 154.7 feet
thence North 12 Degrees 18 Minutes 24 Seconds West 155 feet
thence North 12 Degrees 09 Minutes 47 Seconds West 155.3 feet
thence North 10 Degrees 36 Minutes 49 Seconds West 154.4 feet
thence North 10 Degrees 11 Minutes 47 Seconds West 153.2 feet
thence North 09 Degrees 37 Minutes 50 Seconds West 152.3 feet
thence North 08 Degrees 38 Minutes 07 Seconds West 152.2 feet
thence North 07 Degrees 49 Minutes 00 Seconds West 148.6 feet
thence North 05 Degrees 30 Minutes 47 Seconds West 141.7 feet
thence North 00 Degrees 19 Minutes 50 Seconds West 139.8 feet
thence North 01 Degrees 38 Minutes 06 Seconds East 143.5 feet
thence North 00 Degrees 58 Minutes 37 Seconds East 143.8 feet
thence North 00 Degrees 44 Minutes 24 Seconds East 140.5 feet
thence North 00 Degrees 36 Minutes 32 Seconds West 135.2 feet
thence North 01 Degrees 04 Minutes 01 Seconds West 127.7 feet
thence North 00 Degrees 43 Minutes 28 Seconds East 124.7 feet
thence North 01 Degrees 38 Minutes 38 Seconds East 123.8 feet
thence North 02 Degrees 41 Minutes 52 Seconds East 124.2 feet
thence North 02 Degrees 02 Minutes 31 Seconds East 118.9 feet
thence North 00 Degrees 20 Minutes 42 Seconds East 111.3 feet
thence North 00 Degrees 12 Minutes 35 Seconds East 104.4 feet
thence North 00 Degrees 31 Minutes 46 Seconds West 94.5 feet
thence North 00 Degrees 05 Minutes 52 Seconds West 80.7 feet
thence North 00 Degrees 48 Minutes 33 Seconds East 66 feet
thence North 05 Degrees 56 Minutes 38 Seconds East 50.8 feet

more or less to **the ending point at:** 41 degrees 52 minutes 32.82 seconds North Latitude and -111 degrees 08 minutes 05.23 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,739,882.9 feet and Y = 3,843,037.9 feet.