

Recorded NOV 13 2008 Filing No. 76025
At 9:00 AM/PM in Book 510 Page 305
Fee No Fee Debra L. Ames Rich County Recorder
Requested by 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Rich County as it pertains to the highway located in Rich County known as AR104A; County Road Number: AR104A; State Geographic Information Database (SGID) Road Identification Number: RD170354. Total road length is 0.17 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

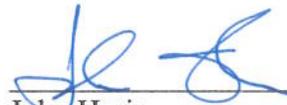
Internet at <http://recorded2477roads.utah.gov>.

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 10th day of November, 2008.

By the Governor's Designee



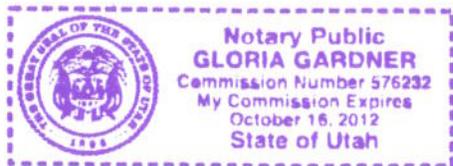
John Harja

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.

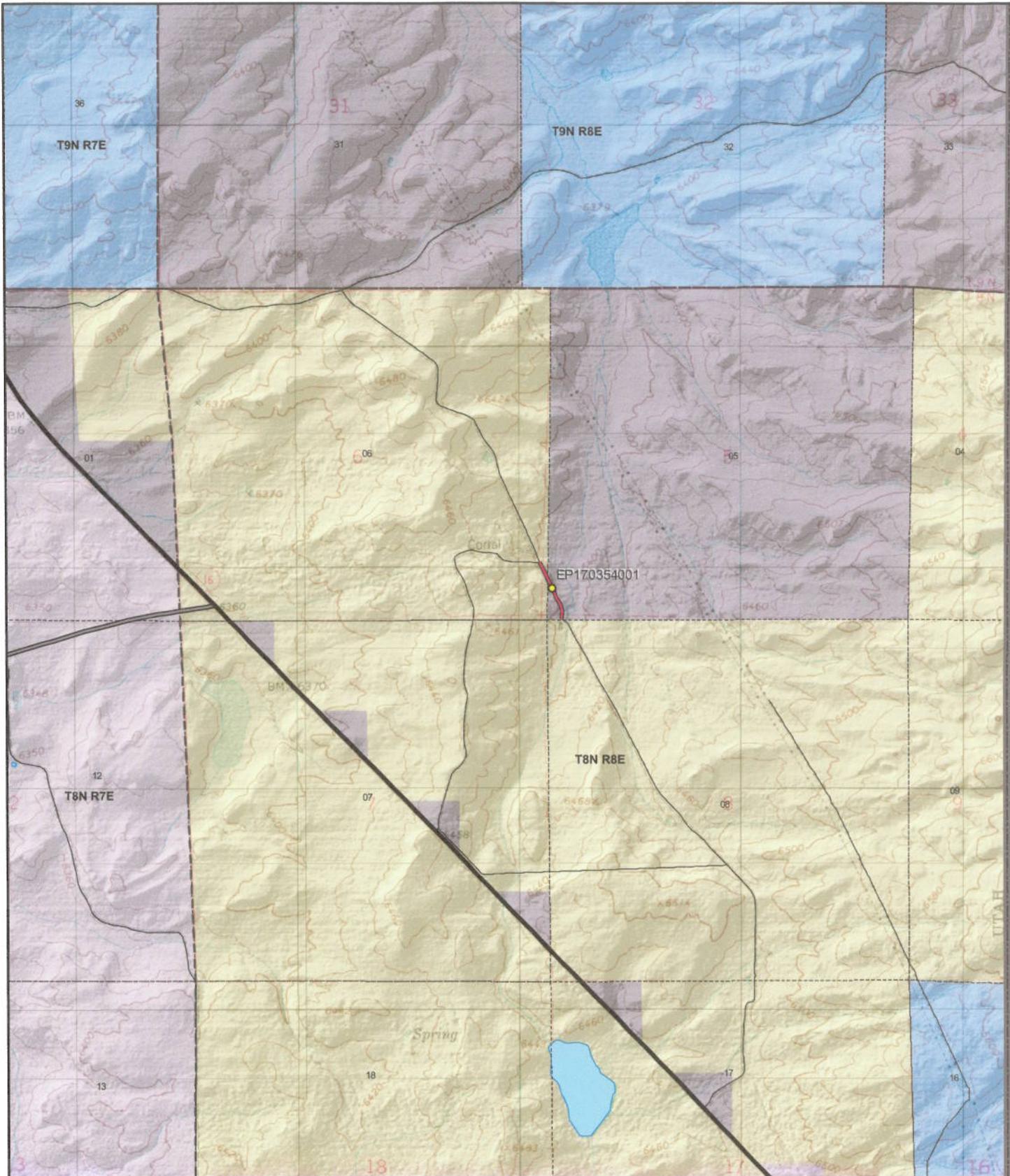
Dated this 10th day of November, 2008.





Notary Public

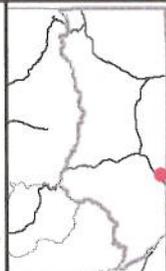
0306



AR104A - Rich County
SGID RD_ID RD170354 CO_UNIQUE AR104A

- | | | |
|---|---|--|
| Land Ownership Categories | Misc | Transportation Network |
| <ul style="list-style-type: none"> ◆ BLM ◆ Private ◆ SITLA, State Trust Land ◆ USFS, National Forest ◆ State Parks and Recreation ◆ UDWR Wildlife Reserve | <ul style="list-style-type: none"> ● Photo Event Point Section = 1 Mile | <ul style="list-style-type: none"> — AR104A — Title V: Issued Or Under Consideration By BLM Or County — County B Road — State / U.S. Highway — Other Roads |

Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Oct 20, 2008



Scale
 1:23,766
 1 inch = 0.38 miles



EP170354001

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AR104A - Rich County
SGID RD_ID RD170354

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
October 27, 2008

0308



Attachment 3

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

Popular Name: AR104A

County: Rich

County Road Number: AR104A

State Geographic Information Database (SGID) Road Identification Number: RD170354.

Total Road Length: 0.17 miles more or less.

Beginning at a point on the road centerline located at 41 degrees 27 minutes 08.17 seconds North Latitude and -111 degrees 04 minutes 12.87 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,758,225.2 feet and Y = 3,688,797.1 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 27 minutes 16.38 seconds North Latitude and -111 degrees 04 minutes 017.2 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,757,891.2 feet and Y = 3,689,626.5 feet based on the US Survey Foot conversion.

This road may traverse:

Township 8 North Range 8 East, Section(s) 5,6, Salt Lake Base & Meridian
See Attachment 1 above for a cartographic depiction of the course of this road.

0309

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

Popular Name: AR104A

County: Rich

County Road Number: AR104A

State Geographic Information Database (SGID) Road Identification Number: RD170354.

Total Road Length: 0.17 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
RD170354	001	ST	0.12 Miles	(not shown)
RD170354	002	BLM	0.05 Miles	A
		Total Road Length	0.17	_____

* 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.

0310

Attachment 5

AFFIDAVIT OF GWEN M. BROWN
RICH COUNTY, UTAH
RICH COUNTY D ROAD NO. AR104A

State of Utah)
 : ss.
County of Rich)

I, GWEN M. BROWN, testify and declare under oath as follows:

1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on October 4, 1934 in Panguitch, Utah. I have lived in Rich County for 49 years. My husband was a cattle and sheep rancher in Rich County for 40 years.

2. I have traveled and am familiar with Rich County Road No. AR 104A and the land it traverses. My husband and I owned several sections of property in the vicinity of this road. My husband was a third generation cattle rancher and his father and grandfather owned this property prior to him. I also traveled to this road and observed the north and south ends of the road from Highway 16 on November 5, 2008.

3. I took the following steps to verify that the road I refer to in this affidavit and Rich County Road No. AR 104A (the " Road") are the same road:

a. I examined a large Rich County map depicting the Road in relation to other roads, intersections and landmarks. I initialed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.

b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the road I refer to herein.

c. I viewed aerial photography of the Road, as well as ground photography, and verified that the aerial and ground photography accurately depict the road I refer to in this affidavit.

4. I have personally traveled the Road from the mid 1950s through 1976 and continuing until the mid 1990s, ("the Time Period of My Experience"). It is the reputation in the community that the Road was traveled as early as the 1900s, prior to my earliest recollection.

5. When I last traveled and observed the Road in the mid 1990s, it appeared to follow the same route as in the mid 1950s when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled approximately weekly, weather permitting throughout the year.

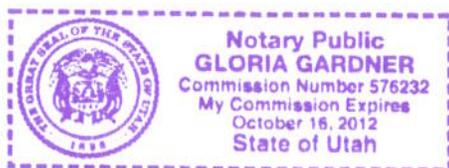
7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck, ATVs and horseback, and I have observed others from the general public traveling it by the same means and others, including snowmobiles, pickups with horse trailers and jeeps.

8. During the Time Period of My Experience I have personally used the Road for livestock operations and I have observed others from the general public using the Road for the same purposes and others including hunting, oil and gas exploration, traveling in and through the area, fire control, predator control and wildlife inventory from Utah State University.

DATED this 5 day of November, 2008.

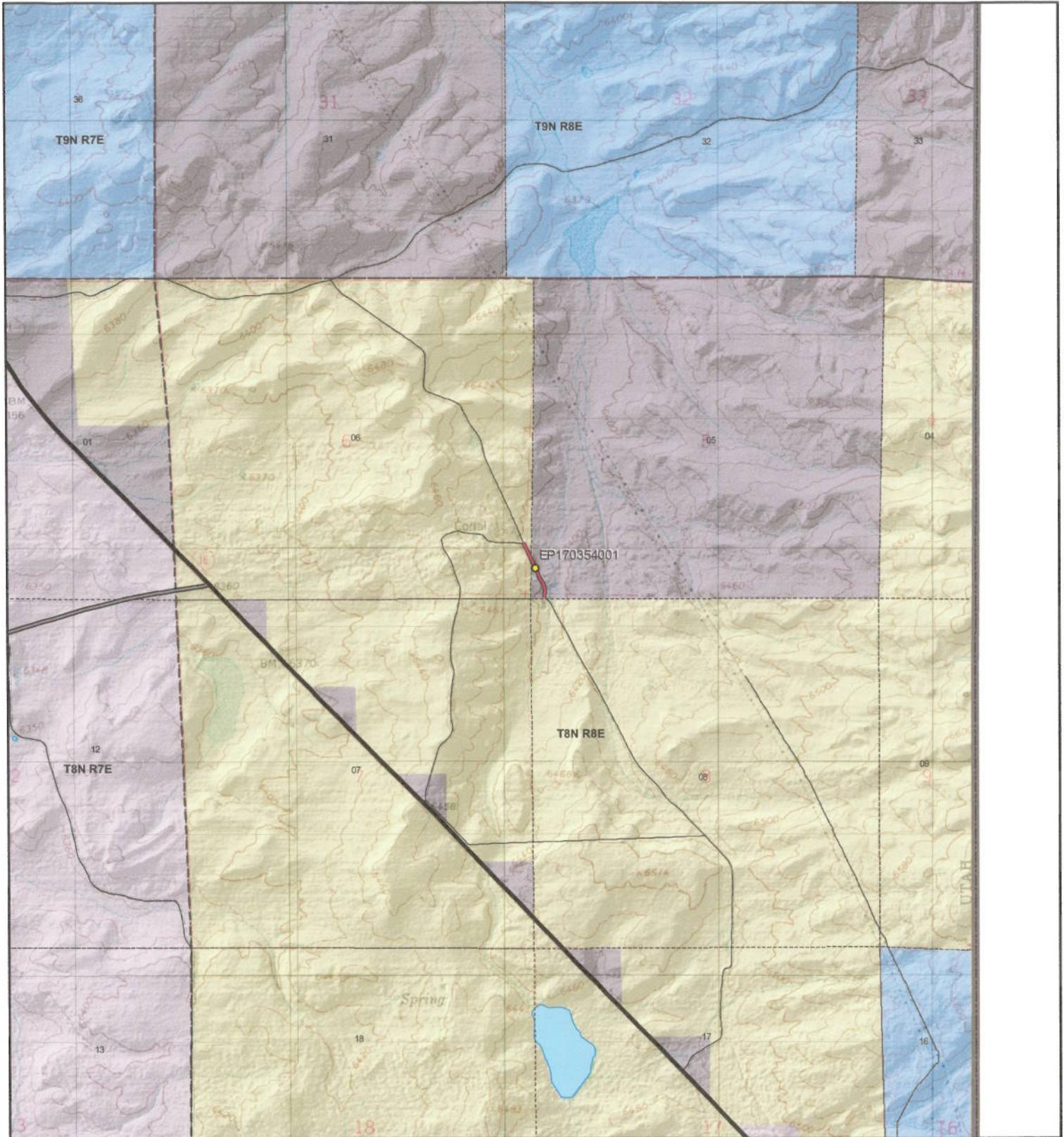

GWEN M. BROWN

SUBSCRIBED AND SWORN to before me this 5th day of November, 2008.




NOTARY PUBLIC

0313



Scale
1:23,766
1 inch = 0.38 miles

AR104A - Rich County
SGID RD_ID RD170354 CO_UNIQUE AR104A

<p>Land Ownership Categories</p> <ul style="list-style-type: none"> ◆ BLM ◆ Private ◆ SITLA, State Trust Land ◆ USFS, National Forest ◆ State Parks and Recreation ◆ UDWR Wildlife Reserve 	<p>Misc</p> <ul style="list-style-type: none"> ● Photo Event Point Section = 1 Mile 	<p>Transportation Network</p> <ul style="list-style-type: none"> — AR104A — Title V: Issued Or Under Consideration By BLM Or County — County B Road — State / U.S. Highway — Other Roads
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Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Oct 20, 2008

AFFIDAVIT OF GEORGE O. FRAZIER
RICH COUNTY, UTAH
RICH COUNTY D ROAD NO. AR104A

State of Utah)
 : ss.
County of Rich)

I, GEORGE O. FRAZIER, testify and declare under oath as follows:

1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on February 1, 1944 in Evanston, Wyoming. I have lived in Rich County for 65 years. I have been a cattle and sheep rancher for the past 54 years.

2. I have traveled and am familiar with Rich County Road No. AR104A and the land it traverses.

3. I took the following steps to verify that the road I refer to in this affidavit and Rich County Road No. AR 104A (the "Road") are the same road:

a. I examined a large Rich County map depicting the Road in relation to other roads, intersections and landmarks. I initialed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.

b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the road I refer to herein.

c. I viewed aerial photography of the Road, as well as ground photography, and verified that the aerial and ground photography accurately depict the road I refer to in this affidavit.

4. I have personally traveled the Road from 1960 through 1976 and continuing until 2007, (“the Time Period of My Experience”). It is the reputation in the community that the Road was traveled as early as the early 1900s, prior to my earliest recollection.

5. When I last traveled and observed the Road in 2007, it appeared to follow the same route as in 1960 when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled approximately weekly, weather permitting during grazing season, and monthly, weather permitting throughout the remainder of the year.

7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck, ATVs and horseback, and I have observed others from the general public traveling it by the same means and jeeps.

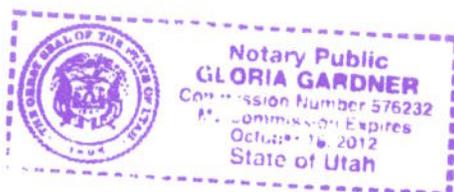
8. During the Time Period of My Experience I have personally used the Road for livestock operations, predator control traveling in and through the area and I have observed others from the general public using the Road for the same purposes and others including fire control, hunting, sight seeing and oil and gas development.

DATED this 23 day of October, 2008.



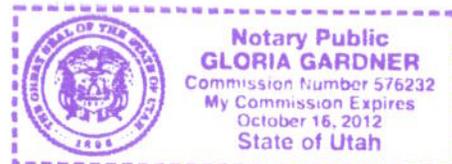
GEORGE O. FRAZIER

SUBSCRIBED AND SWORN to before me this 23rd day of October, 2008.

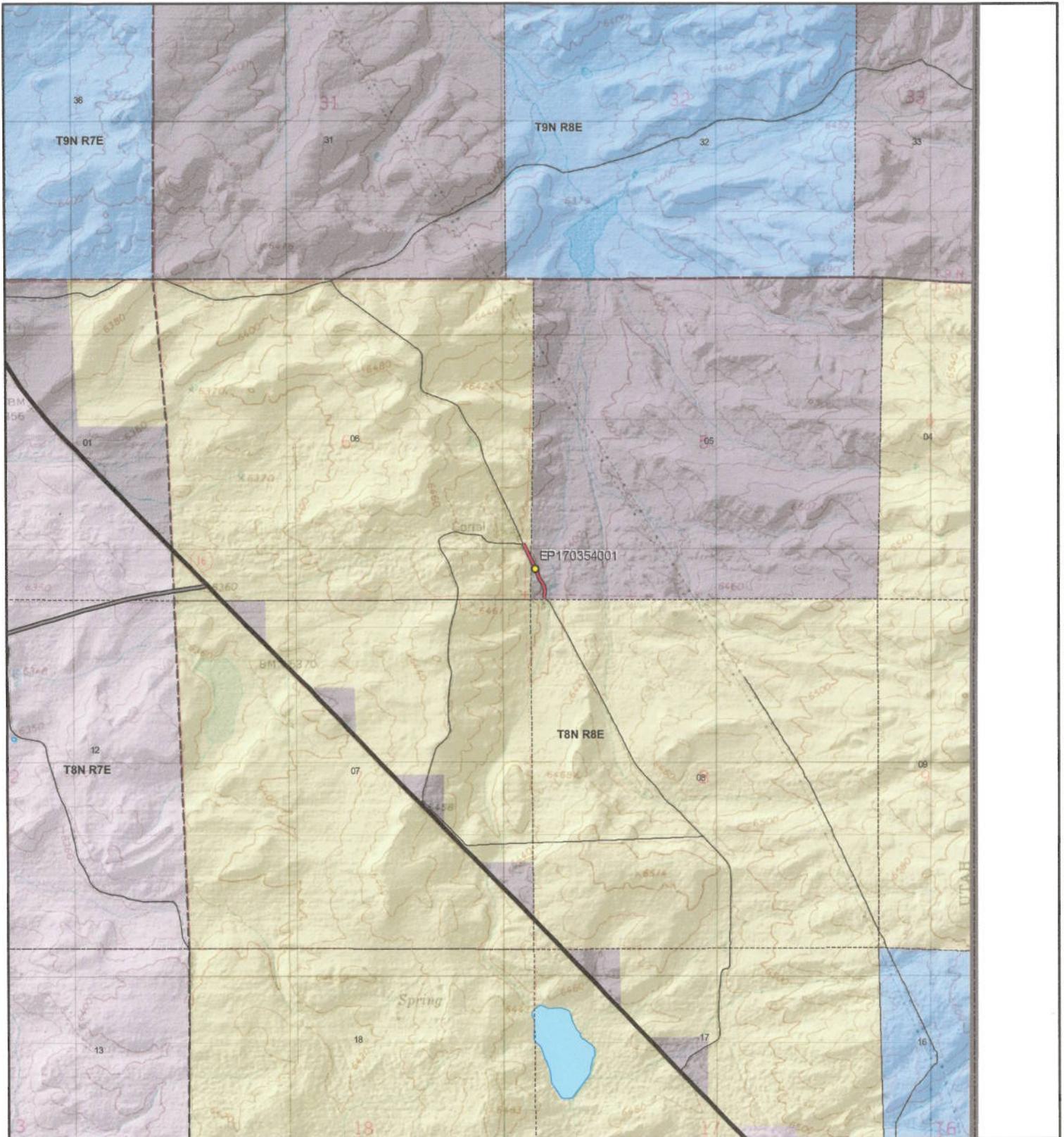




NOTARY PUBLIC



0316



Scale
1:23,766
1 inch = 0.38 miles

AR104A - Rich County
SGID RD_ID RD170354 CO_UNIQUE AR104A

Land Ownership Categories	Misc	Transportation Network
<ul style="list-style-type: none"> ◆ BLM ◆ Private ◆ SITLA, State Trust Land ◆ USFS, National Forest ◆ State Parks and Recreation ◆ UDWR Wildlife Reserve 	<ul style="list-style-type: none"> ● Photo Event Point Section = 1 Mile 	<ul style="list-style-type: none"> — AR104A — Title V: Issued Or Under Consideration By BLM Or County — County B Road — State / U.S. Highway — Other Roads

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Oct 20, 2008

Appendix A to Attachment 4

Popular Name: AR104A

County: Rich

County Road Number: AR104A

State Geographic Information Database (SGID) Road Identification Number: RD170354.

Road-Segment Number: 002

Road-Segment Length: 0.05 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 8 North Range 8 East, Section(s) 6, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR104A)-- 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 41 degrees 27 minutes 14.02 seconds North Latitude and -111 degrees 04 minutes 15.64 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,758,011.1 feet and Y = 3,689,388.2 feet; thence the following courses along the said road center line:

thence North 25 Degrees 56 Minutes 52 Seconds West 47.1 feet

thence North 24 Degrees 55 Minutes 26 Seconds West 72.6 feet

thence North 26 Degrees 08 Minutes 33 Seconds West 67.1 feet

thence North 30 Degrees 30 Minutes 12 Seconds West 49 feet

thence North 27 Degrees 09 Minutes 50 Seconds West 31.3 feet more or less to **the ending**

point at: 41 degrees 27 minutes 16.38 seconds North Latitude and -111 degrees 04 minutes 017.2 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,757,891.2 feet and Y = 3,689,626.5 feet.