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

Recorded NOV 1 3 2008 Filing No. 76045
At 9:15 AM/PM in Book 510 Page 541
Fee No Fee Debra L. Ames Rich County Recorder
Requested by 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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 AR117D; County Road Number: AR117D; State Geographic Information Database (SGID) Road Identification Number: RD170374. Total road length is 0.49 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)

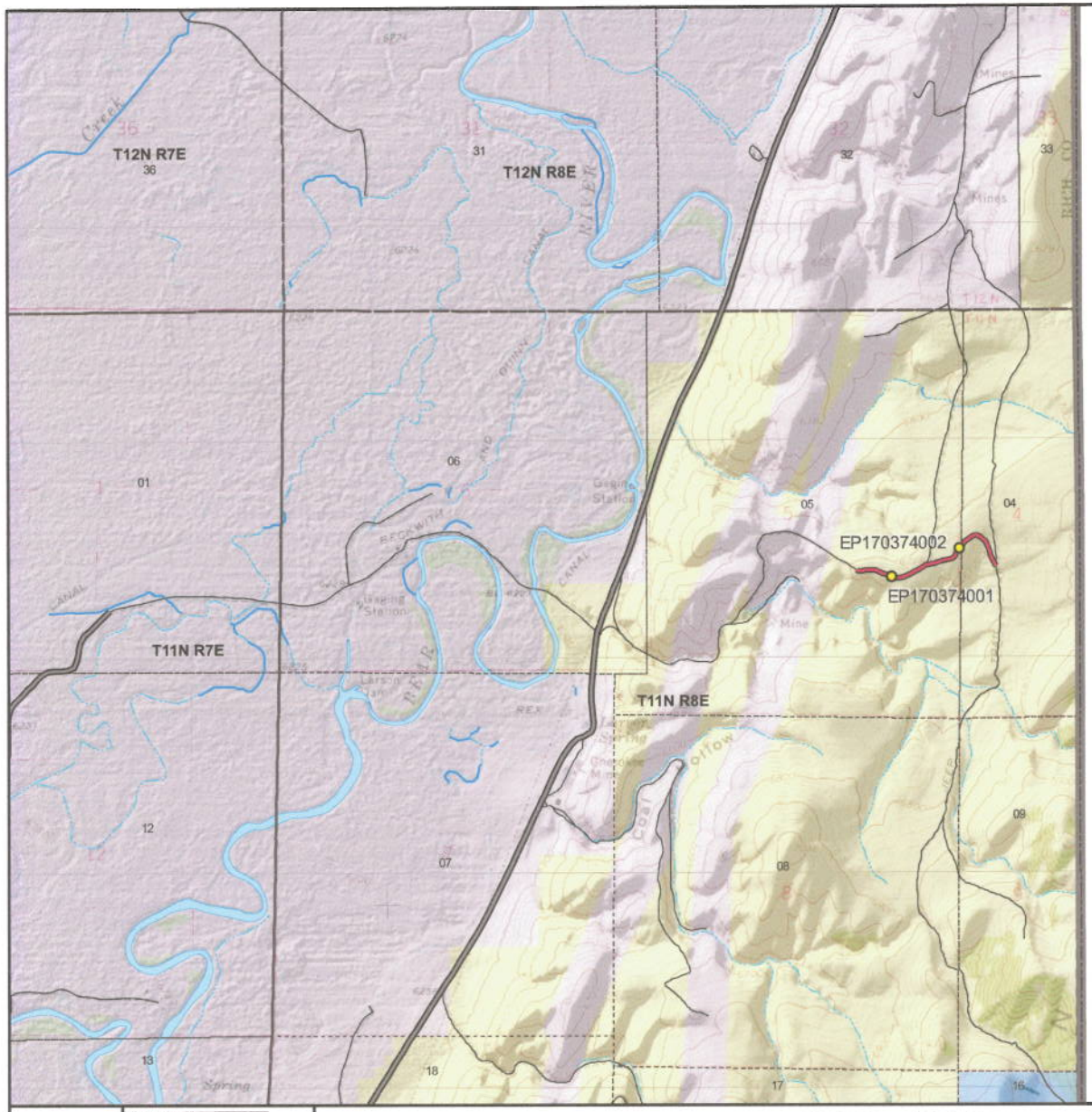
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to 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, 200___.

Notary Public
GLORIA GARDNER
Commission Number 576232
My Commission Expires
October 16, 2012
State of Utah

Gloria Gardner
Notary Public

0542



Scale
1:31,253
1 in = 16 miles

0543

AR117D - Rich County
SGID RD_ID RD170374 CO_UNIQUE AR117D

Land Ownership Categories
- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- UDWR Wildlife Reserve

Misc
- Photo Event Point
- Section = 1 Mile

Transportation Network
- AR117D
- 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

UTAH AGRC

EP170374001

EP170374002

EP000000000

EP000000000

EP000000000

EP000000000

AR117D - Rich County
SGID RD_ID RD170374

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

0544

Attachment 3

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

Popular Name: AR117D
County: Rich
County Road Number: AR117D
State Geographic Information Database (SGID) Road Identification Number: RD170374.
Total Road Length: 0.49 miles more or less.

Beginning at a point on the road centerline located at 41 degrees 43 minutes 19.07 seconds North Latitude and -111 degrees 03 minutes 29.87 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,761,000.0 feet and Y = 3,787,082.9 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 43 minutes 19.63 seconds North Latitude and -111 degrees 03 minutes 02.46 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,763,077.6 feet and Y = 3,787,150.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 11 North Range 8 East, Section(s) 4,5, Salt Lake Base & Meridian
See Attachment 1 above for a cartographic depiction of the course of this road.

0545

Attachment 4
Road Centerline Description Cover Page(s)

Popular Name: AR117D
County: Rich
County Road Number: AR117D
State Geographic Information Database (SGID) Road Identification Number: RD170374.
Total Road Length: 0.49 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**
RD170374	**001**	**BLM**	**0.49 Miles**	**A**
		Total Road Length	**0.49**	_____

*** 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.

0546

Attachment 5

AFFIDAVIT OF THOMAS L. BRITTON

RICH COUNTY, UTAH

RICH COUNTY D ROAD NO. AR117D

State of Utah)
: ss.
County of Rich)

I, THOMAS L. BRITTON, 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 December 26, 1948, in Kalispell, Montana. I have lived in Rich County and have been involved in ranching in Rich County for 50 years. I have worked for the Rich County Roads Department since 1978.

2. I have traveled and am familiar with Rich County Road No. AR117D 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. AR117D (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 early 1960s through 1976 and continuing until 2006, ("the Time Period of My Experience"). It is the reputation in the community that the Road was traveled as early as the early 1940s, prior to my earliest recollection.

5. When I last traveled and observed the Road in 2006, it appeared to follow the same route as in the early 1960s, when I first traveled and observed it.

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

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

8. During the Time Period of My Experience I have personally used the Road for hunting and recreation and I have observed others from the general public using the Road for the same purposes, plus livestock operations.

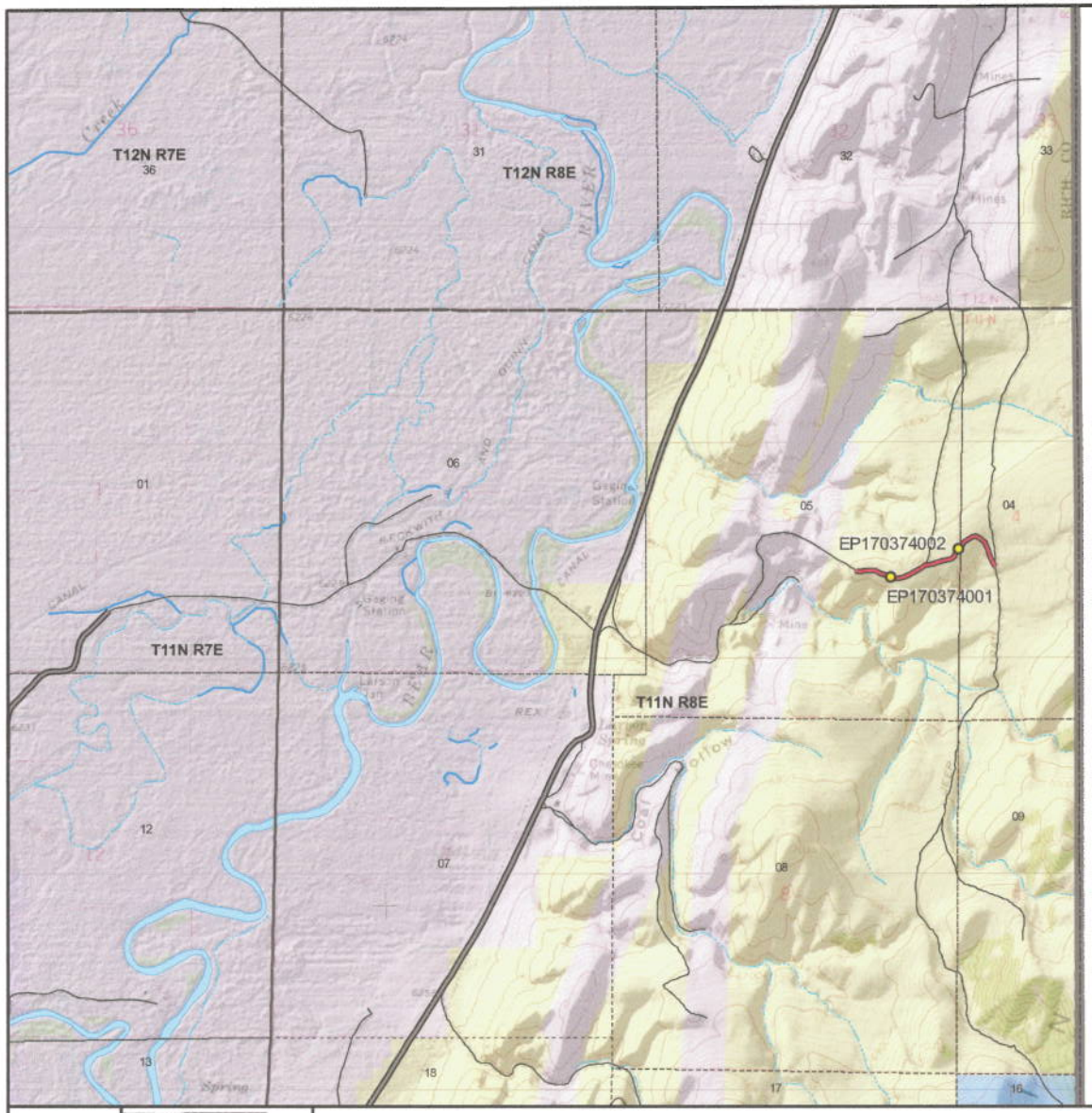
DATED this 27 day of October, 2008.

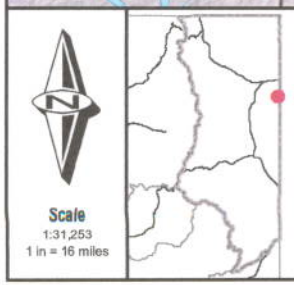
THOMAS L. BRITTON

SUBSCRIBED AND SWORN to before me this 27th day of October, 2008.

Notary Public
GLORIA GARDNER
Commission Number 576232
My Commission Expires
October 16, 2012
State of Utah

NOTARY PUBLIC





Scale
1:31,253
1 in = 16 miles

0550

AR117D - Rich County

SGID RD_ID RD170374 CO_UNIQUE AR117D

Land Ownership Categories
- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- UDWR Wildlife Reserve

Misc
- Photo Event Point
- Section = 1 Mile

Transportation Network
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- Title V: Issued Or Under Consideration By BLM Or County
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- 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

UTAH AGRC

AFFIDAVIT OF DAVID D. JONES

RICH COUNTY, UTAH

RICH COUNTY D ROAD NO. AR117D

State of Utah)
: ss.
County of Rich)

I, DAVID D. JONES, 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 November 7, 1941, in Randolph, Rich County, Utah and have lived in Randolph all of my life and have been involved in livestock operations most of my adult life. I worked for Stauffer Mining Company in the Crawford Mountain Range area from 1964 to 1986.

2. I have traveled and am familiar with Rich County Road No. AR117D 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. AR117D (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 early 1970s through 1976 and continuing until 2007, ("the Time Period of My Experience"). Stauffer Mining Company bulldozed and graded this road up to the mine in the early 1970s. It is the reputation in the community that the Road was traveled as early as the early 1900s by sheep ranchers.

5. When I last traveled and observed the Road in 2007, it appeared to follow the same route as in the early 1970s, when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled daily, weather permitting during periods of active mining and weekly, weather permitting, during other periods.

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

8. During the Time Period of My Experience I have personally used the Road for hunting, recreation, livestock operations and mining activities as part of my employment and I have observed others from the general public using the Road for the same purposes.

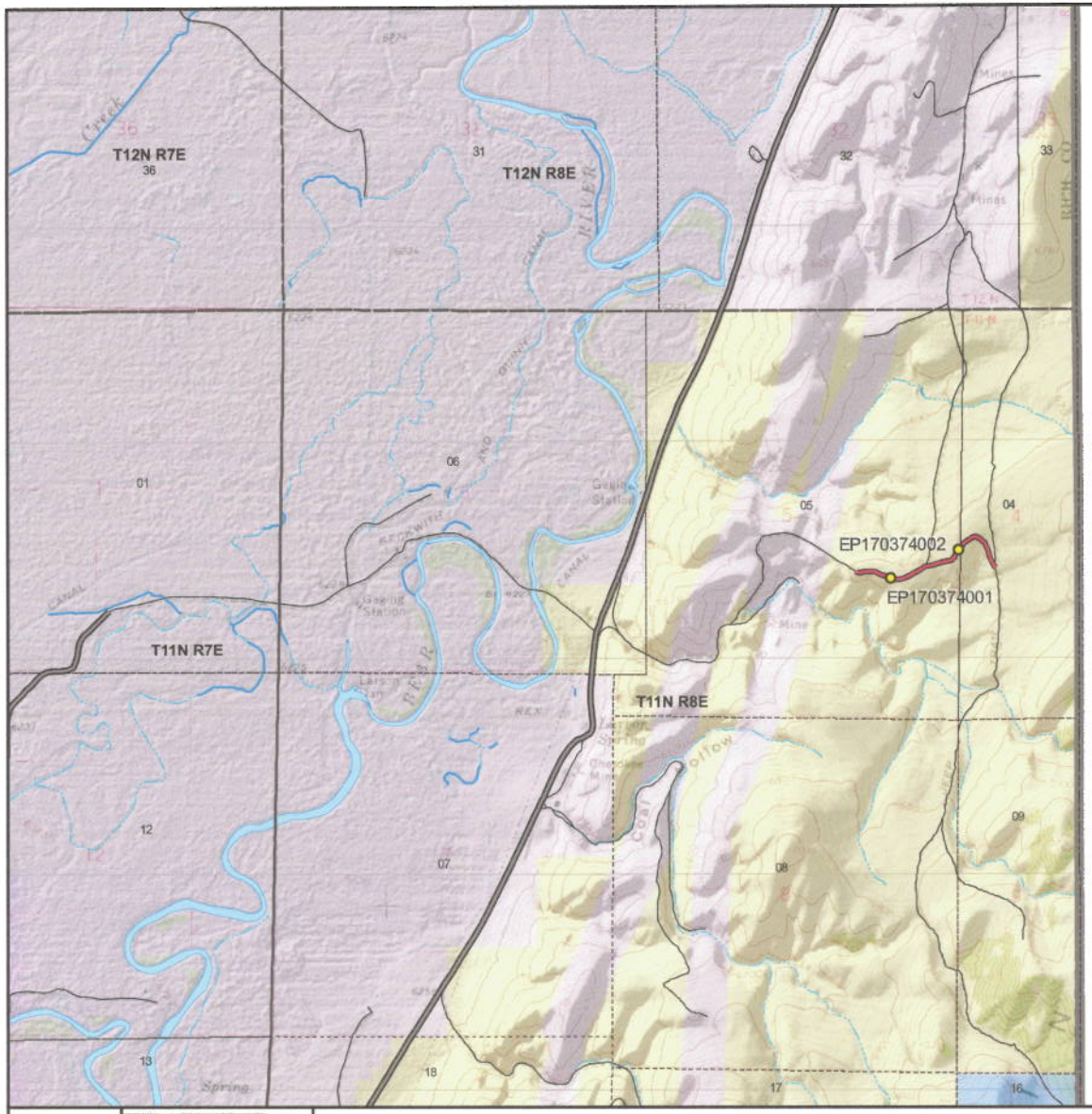
DATED this 22 day of October, 2008.

David D Jones
DAVID D. JONES

SUBSCRIBED AND SWORN to before me this 22nd day of October, 2008.

Notary Public
GLORIA GARDNER
Commission Number 576232
My Commission Expires
October 16, 2012
State of Utah

Gloria Gardner
NOTARY PUBLIC



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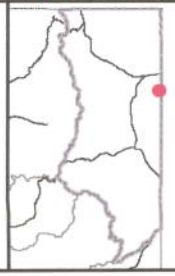

0553

AR117D - Rich County
SGID RD_ID RD170374 CO_UNIQUE AR117D

Land Ownership Categories
- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
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- UDWR Wildlife Reserve

Misc
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- 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

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Appendix A to Attachment 4

Popular Name: AR117D
County: Rich
County Road Number: AR117D
State Geographic Information Database (SGID) Road Identification Number: RD170374.
Road-Segment Number: 001
Road-Segment Length: 0.49 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 11 North Range 8 East, Section(s) 4,5, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR117D)-- 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 43 minutes 19.07 seconds North Latitude and -111 degrees 03 minutes 29.87 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,761,000.0 feet and Y = 3,787,082.9 feet; thence the following courses along the said road center line:

thence South 69 Degrees 24 Minutes 19 Seconds East 11.9 feet
thence South 84 Degrees 25 Minutes 26 Seconds East 28.7 feet
thence North 86 Degrees 14 Minutes 45 Seconds East 38.5 feet
thence North 82 Degrees 54 Minutes 39 Seconds East 44.6 feet
thence North 81 Degrees 06 Minutes 02 Seconds East 48.5 feet
thence North 87 Degrees 30 Minutes 31 Seconds East 52.2 feet
thence South 80 Degrees 01 Minutes 30 Seconds East 55 feet
thence South 67 Degrees 42 Minutes 36 Seconds East 55.5 feet
thence South 65 Degrees 28 Minutes 54 Seconds East 53.9 feet
thence South 66 Degrees 59 Minutes 22 Seconds East 52.2 feet
thence South 68 Degrees 31 Minutes 43 Seconds East 53 feet
thence South 70 Degrees 51 Minutes 12 Seconds East 57.1 feet

thence South 77 Degrees 20 Minutes 07 Seconds East 56.9 feet
thence North 83 Degrees 57 Minutes 33 Seconds East 56.1 feet
thence North 74 Degrees 34 Minutes 42 Seconds East 60.5 feet
thence North 70 Degrees 24 Minutes 26 Seconds East 64.7 feet
thence North 63 Degrees 55 Minutes 45 Seconds East 61.2 feet
thence North 61 Degrees 00 Minutes 21 Seconds East 56.1 feet
thence North 61 Degrees 45 Minutes 19 Seconds East 56.1 feet
thence North 61 Degrees 49 Minutes 42 Seconds East 52.7 feet
thence North 60 Degrees 57 Minutes 50 Seconds East 47.1 feet
thence North 47 Degrees 14 Minutes 56 Seconds East 25.8 feet
thence North 64 Degrees 35 Minutes 11 Seconds East 17 feet
thence North 71 Degrees 28 Minutes 14 Seconds East 25.2 feet
thence North 79 Degrees 57 Minutes 48 Seconds East 25.3 feet
thence North 82 Degrees 12 Minutes 33 Seconds East 27.8 feet
thence North 78 Degrees 14 Minutes 10 Seconds East 29.8 feet
thence North 72 Degrees 02 Minutes 31 Seconds East 36.8 feet
thence North 69 Degrees 58 Minutes 16 Seconds East 28.2 feet
thence North 68 Degrees 48 Minutes 55 Seconds East 7.4 feet
thence North 73 Degrees 34 Minutes 45 Seconds East 17.8 feet
thence North 74 Degrees 30 Minutes 57 Seconds East 32.6 feet
thence North 77 Degrees 21 Minutes 43 Seconds East 37 feet
thence North 78 Degrees 21 Minutes 36 Seconds East 31.8 feet
thence North 78 Degrees 09 Minutes 22 Seconds East 36.2 feet
thence North 75 Degrees 00 Minutes 19 Seconds East 36.3 feet
thence North 68 Degrees 09 Minutes 14 Seconds East 36.7 feet
thence North 55 Degrees 07 Minutes 47 Seconds East 30.7 feet
thence North 32 Degrees 32 Minutes 19 Seconds East 25.4 feet
thence North 27 Degrees 13 Minutes 22 Seconds East 34.1 feet
thence North 33 Degrees 21 Minutes 36 Seconds East 40.2 feet
thence North 45 Degrees 54 Minutes 07 Seconds East 43.2 feet
thence North 35 Degrees 40 Minutes 37 Seconds East 34 feet
thence North 35 Degrees 45 Minutes 44 Seconds East 10.6 feet
thence North 37 Degrees 09 Minutes 28 Seconds East 42.6 feet
thence North 34 Degrees 28 Minutes 42 Seconds East 42 feet
thence North 43 Degrees 46 Minutes 12 Seconds East 44.3 feet
thence North 53 Degrees 21 Minutes 09 Seconds East 47.7 feet
thence North 57 Degrees 17 Minutes 21 Seconds East 47.8 feet
thence North 67 Degrees 47 Minutes 15 Seconds East 43.2 feet
thence South 81 Degrees 51 Minutes 31 Seconds East 31.2 feet
thence South 57 Degrees 43 Minutes 46 Seconds East 33.5 feet
thence South 56 Degrees 38 Minutes 23 Seconds East 36.7 feet
thence South 57 Degrees 47 Minutes 17 Seconds East 40.9 feet
thence South 43 Degrees 13 Minutes 51 Seconds East 44.4 feet
thence South 28 Degrees 16 Minutes 01 Seconds East 49 feet
thence South 22 Degrees 25 Minutes 01 Seconds East 48.9 feet
thence South 20 Degrees 20 Minutes 45 Seconds East 48.9 feet
thence South 18 Degrees 53 Minutes 25 Seconds East 47.4 feet
thence South 17 Degrees 54 Minutes 48 Seconds East 48.9 feet
thence South 21 Degrees 55 Minutes 31 Seconds East 50.8 feet

thence South 28 Degrees 51 Minutes 11 Seconds East 51.6 feet
thence South 31 Degrees 56 Minutes 14 Seconds East 40.1 feet
thence South 30 Degrees 51 Minutes 34 Seconds East 14.9 feet more or less to **the ending point at:** 41 degrees 43 minutes 19.63 seconds North Latitude and -111 degrees 03 minutes 02.46 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,763,077.6 feet and Y = 3,787,150.4 feet.