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

Recorded NOV 13 2008 Filing No. 76050
At 9:15 AM/PM in Book 510 Page 0606
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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 AR121E; County Road Number: AR121E; State Geographic Information Database (SGID) Road Identification Number: RD170382. Total road length is 0.85 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)

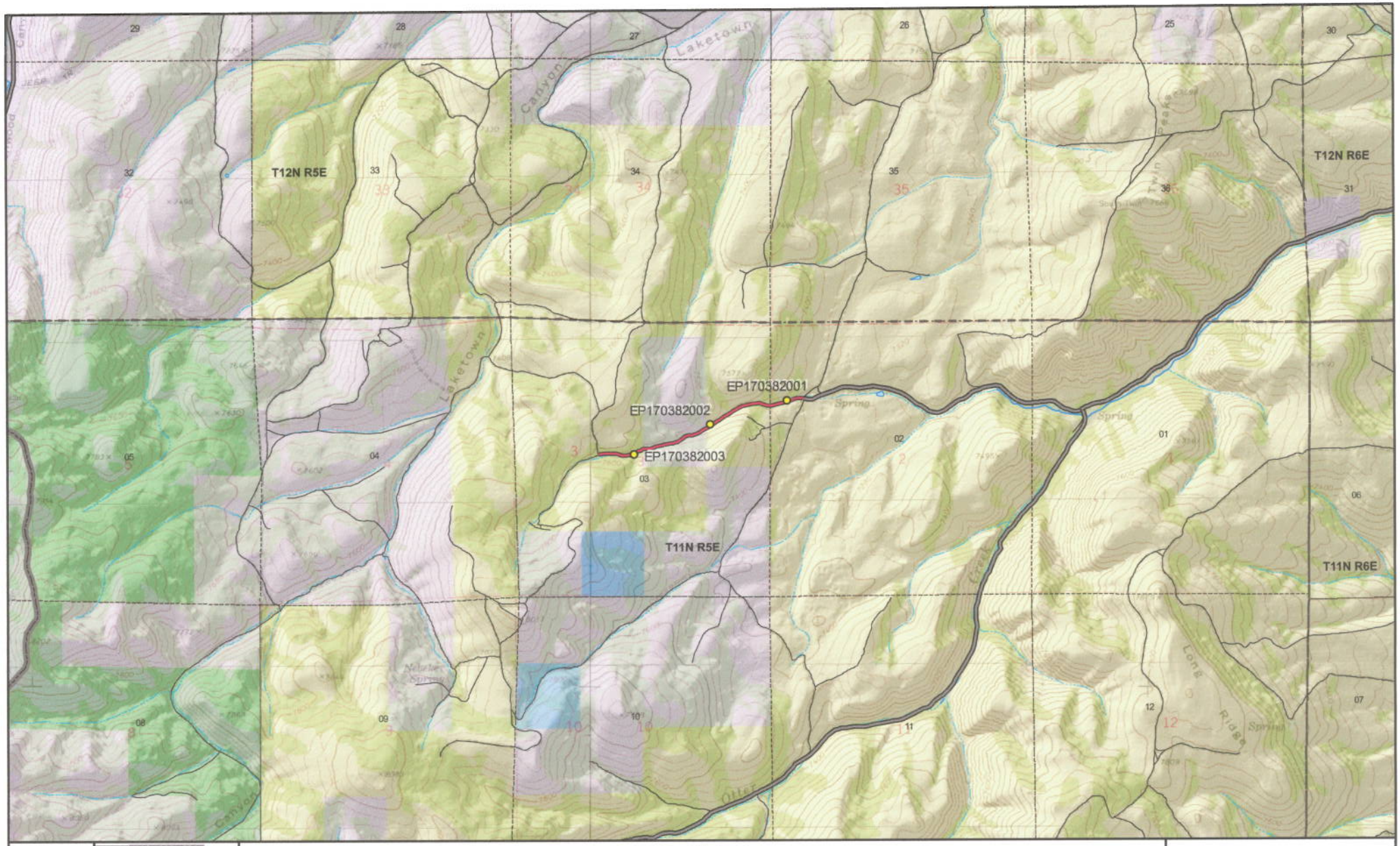
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to 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
GLORIA GARDNER
Commission Number 576232
My Commission Expires
October 16, 2012
State of Utah

Gloria Gardner
Notary Public

0607



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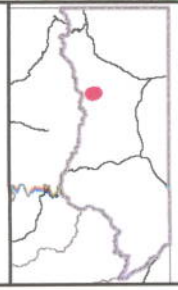
1 in = 43 miles



09608

AR121E - Rich County
SGID RD_ID RD170382 CO_UNIQUE AR121E

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

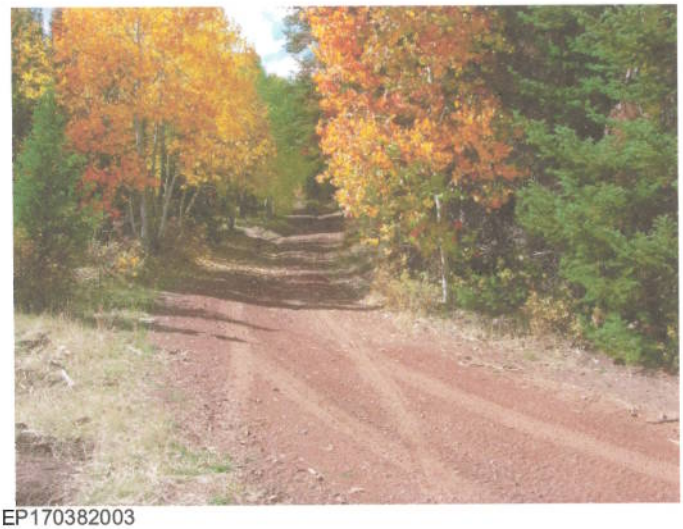
Transportation Network
- AR121E
- Title V: Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Oct 14, 2008

UTAH AGRC

EP170382001

EP170382002



EP170382003

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AR121E - Rich County
SGID RD_ID RD170382

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

0609

Attachment 3

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

Popular Name: AR121E
County: Rich
County Road Number: AR121E
State Geographic Information Database (SGID) Road Identification Number: RD170382.
Total Road Length: 0.85 miles more or less.

Beginning at a point on the road centerline located at 41 degrees 43 minutes 16.64 seconds North Latitude and -111 degrees 22 minutes 30.49 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,674,504.8 feet and Y = 3,786,555.3 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 43 minutes 27.88 seconds North Latitude and -111 degrees 21 minutes 35.24 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,678,692.1 feet and Y = 3,787,699.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 11 North Range 5 East, Section(s) 2,3, 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: AR121E
County: Rich
County Road Number: AR121E
State Geographic Information Database (SGID) Road Identification Number: RD170382.
Total Road Length: 0.85 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
RD170382	001	BLM	0.18 Miles	A
RD170382	002	PVT	0.26 Miles	(not shown)
RD170382	003	BLM	0.41 Miles	B
		Total Road Length	0.85	_____

*** 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.

0611

Attachment 5

AFFIDAVIT OF WILLIAM S. REX

RICH COUNTY, UTAH

RICH COUNTY D ROAD NO. AR121E

State of Utah)
: ss.
County of Rich)

I, WILLIAM S. REX, 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 March 27, 1934 in Salt Lake City, Utah. I have lived in Rich County for 74 years. I have been a cattle rancher for the past 55 years.

2. I have traveled and am familiar with Rich County Road No. AR 121E 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 121E (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 1940s through 1976 and continuing until 2008, ("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 2008, it appeared to follow the same route as in the 1940s when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled approximately monthly, 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 and horseback, and I have observed others from the general public traveling it by the same means and ATVs and jeeps.

8. During the Time Period of My Experience I have personally used the Road for livestock operations, fence maintenance and 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 residential access, hunting and recreation.

DATED this 29 day of October, 2008.

William S. Rex
WILLIAM S. REX

SUBSCRIBED AND SWORN to before me this 29th day of October, 2008.

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

Gloria Gardner
NOTARY PUBLIC

AFFIDAVIT OF CLAYTON WAMSLEY

RICH COUNTY, UTAH

RICH COUNTY D ROAD NO. AR121E

State of Utah)
: ss.
County of Rich)

I, CLAYTON WAMSLEY, 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 25, 1928, in Garden City, Rich County, Utah. I have lived in Rich County all of my life and have been involved in ranching, on and off, in Rich County all of my life. From 1955 to 1992 I worked for the State of Utah for the Department of Transportation and provided assistance to the Game Warden.

2. I have traveled and am familiar with Rich County Road No. AR121E 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. AR121E (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 1960s, 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 various means, including 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 and wildlife management assistance for the state and I have observed others from the general public using the Road for the same purposes, plus livestock operations.

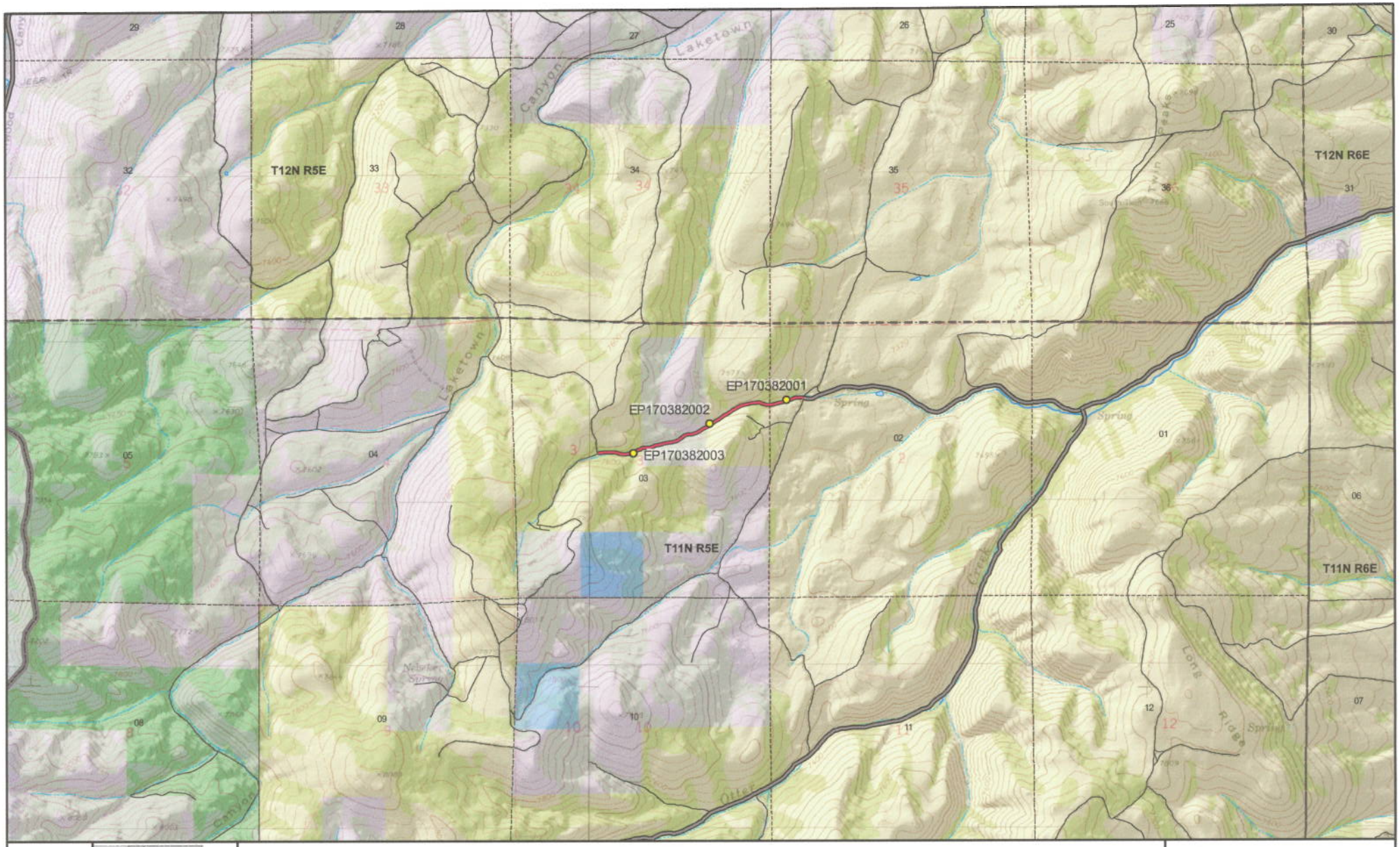
DATED this 29 day of October, 2008.

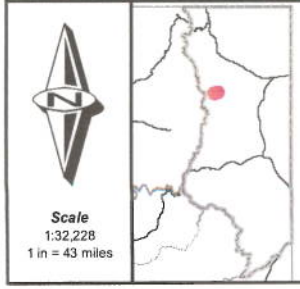
Clayton Wamsley
CLAYTON WAMSLEY

SUBSCRIBED AND SWORN to before me this 29th day of October, 2008.

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

Gloria Gardner
NOTARY PUBLIC





Scale
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1 in = 43 miles

06118

AR121E - Rich County
SGID RD_ID RD170382 CO_UNIQUE AR121E

Land Ownership Categories
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- UDWR Wildlife Reserve

Misc
- Photo Event Point
- Section = 1 Mile

Transportation Network
- AR121E
- 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 14, 2008

UTAH AGRC

Appendix A to Attachment 4

Popular Name: AR121E
County: Rich
County Road Number: AR121E
State Geographic Information Database (SGID) Road Identification Number: RD170382.
Road-Segment Number: 001
Road-Segment Length: 0.18 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 5 East, Section(s) 3, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR121E)-- 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 16.64 seconds North Latitude and -111 degrees 22 minutes 30.49 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,674,504.8 feet and Y = 3,786,555.3 feet; thence the following courses along the said road center line:

thence North 69 Degrees 11 Minutes 44 Seconds East 26.3 feet
thence North 81 Degrees 09 Minutes 22 Seconds East 97.6 feet
thence South 87 Degrees 44 Minutes 14 Seconds East 108.7 feet
thence South 87 Degrees 36 Minutes 20 Seconds East 55.2 feet
thence North 87 Degrees 29 Minutes 35 Seconds East 51.9 feet
thence South 74 Degrees 48 Minutes 28 Seconds East 55.2 feet
thence South 73 Degrees 37 Minutes 57 Seconds East 51.4 feet
thence South 80 Degrees 14 Minutes 04 Seconds East 48.7 feet
thence South 83 Degrees 12 Minutes 25 Seconds East 23.8 feet
thence North 83 Degrees 08 Minutes 24 Seconds East 66.4 feet
thence North 87 Degrees 27 Minutes 55 Seconds East 42.7 feet
thence South 81 Degrees 01 Minutes 19 Seconds East 40.6 feet

thence North 89 Degrees 40 Minutes 04 Seconds East 37.7 feet
thence North 59 Degrees 13 Minutes 41 Seconds East 36.9 feet
thence North 49 Degrees 44 Minutes 24 Seconds East 39.4 feet
thence North 44 Degrees 59 Minutes 57 Seconds East 40.2 feet
thence North 63 Degrees 47 Minutes 15 Seconds East 36.8 feet
thence North 81 Degrees 28 Minutes 25 Seconds East 41.4 feet
thence North 49 Degrees 04 Minutes 00 Seconds East 42.4 feet
thence North 68 Degrees 51 Minutes 40 Seconds East 5.3 feet more or less to **the ending point at:** 41 degrees 43 minutes 017.7 seconds North Latitude and -111 degrees 22 minutes 18.64 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,675,403.2 feet and Y = 3,786,663.8 feet.

Appendix B to Attachment 4

Popular Name: AR121E
County: Rich
County Road Number: AR121E
State Geographic Information Database (SGID) Road Identification Number: RD170382.
Road-Segment Number: 003
Road-Segment Length: 0.41 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 5 East, Section(s) 2,3, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR121E)-- 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 43 minutes 21.92 seconds North Latitude and -111 degrees 22 minutes 01.49 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,676,702.7 feet and Y = 3,787,093.1 feet; thence the following courses along the said road center line:

thence North 61 Degrees 36 Minutes 00 Seconds East 47.6 feet
thence North 60 Degrees 32 Minutes 38 Seconds East 26.3 feet
thence North 59 Degrees 08 Minutes 18 Seconds East 44.6 feet
thence North 57 Degrees 44 Minutes 49 Seconds East 70.8 feet
thence North 56 Degrees 39 Minutes 20 Seconds East 69.3 feet
thence North 55 Degrees 53 Minutes 59 Seconds East 66.7 feet
thence North 55 Degrees 49 Minutes 01 Seconds East 64.8 feet
thence North 56 Degrees 34 Minutes 04 Seconds East 61.9 feet
thence North 55 Degrees 24 Minutes 50 Seconds East 64.7 feet
thence North 58 Degrees 47 Minutes 54 Seconds East 68.4 feet
thence North 60 Degrees 05 Minutes 24 Seconds East 69.8 feet
thence North 57 Degrees 34 Minutes 31 Seconds East 68.6 feet

thence North 58 Degrees 33 Minutes 17 Seconds East 64.8 feet
thence North 66 Degrees 44 Minutes 47 Seconds East 62.4 feet
thence North 73 Degrees 28 Minutes 09 Seconds East 61.2 feet
thence North 77 Degrees 56 Minutes 54 Seconds East 63 feet
thence North 79 Degrees 15 Minutes 15 Seconds East 61.7 feet
thence North 77 Degrees 52 Minutes 28 Seconds East 61 feet
thence North 79 Degrees 42 Minutes 44 Seconds East 62.6 feet
thence North 87 Degrees 06 Minutes 32 Seconds East 58.8 feet
thence South 74 Degrees 14 Minutes 50 Seconds East 55.7 feet
thence South 68 Degrees 58 Minutes 30 Seconds East 55 feet
thence South 74 Degrees 32 Minutes 35 Seconds East 49.5 feet
thence South 86 Degrees 49 Minutes 42 Seconds East 48.3 feet
thence North 83 Degrees 44 Minutes 43 Seconds East 19.4 feet
thence North 83 Degrees 41 Minutes 46 Seconds East 34.4 feet
thence North 76 Degrees 15 Minutes 38 Seconds East 58 feet
thence North 77 Degrees 43 Minutes 47 Seconds East 58.7 feet
thence North 79 Degrees 11 Minutes 18 Seconds East 57.7 feet
thence North 76 Degrees 53 Minutes 33 Seconds East 57.9 feet
thence North 74 Degrees 51 Minutes 16 Seconds East 41.1 feet
thence North 70 Degrees 10 Minutes 43 Seconds East 84.6 feet
thence North 67 Degrees 16 Minutes 19 Seconds East 64.6 feet
thence North 68 Degrees 08 Minutes 58 Seconds East 61.7 feet
thence North 78 Degrees 53 Minutes 01 Seconds East 56.1 feet
thence South 89 Degrees 57 Minutes 17 Seconds East 49.9 feet
thence South 86 Degrees 12 Minutes 03 Seconds East 59.2 feet
thence South 68 Degrees 57 Minutes 40 Seconds East 16.2 feet
thence South 83 Degrees 12 Minutes 24 Seconds East 7.9 feet more or less to **the ending point at:** 41 degrees 43 minutes 27.88 seconds North Latitude and -111 degrees 21 minutes 35.24 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,678,692.1 feet and Y = 3,787,699.4 feet.