

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

Recorded NOV 13 2008 Filing No. 76094
At 9:15 AM/PM in Book 510 Page 1178
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 AR163; County Road Number: AR163; State Geographic Information Database (SGID) Road Identification Number: RD170438. Total road length is 1.31 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



Scale
1:35,335
1 in = 16 miles

AR163 - Rich County
SGID RD_ID RD170438 CO_UNIQUE AR163

Land Ownership Categories	Misc	Transportation Network
BLM	Photo Event Point	AR163
Private	Section = 1 Mile	Title V: Issued Or Under Consideration By BLM Or County
SITLA, State Trust Land		County B Road
USFS, National Forest		State / U.S. Highway
State Parks and Recreation		Other Roads
UDWR Wildlife Reserve		

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



EP170438001



EP170438002



EP170438003



EP170438004

EP000000000

EP000000000



AR163 - Rich County
SGID RD_ID RD170438

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

1181



Attachment 3

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

Popular Name: AR163

County: Rich

County Road Number: AR163

State Geographic Information Database (SGID) Road Identification Number: RD170438.

Total Road Length: 1.31 miles more or less.

Beginning at a point on the road centerline located at 41 degrees 35 minutes 046.6 seconds North Latitude and -111 degrees 04 minutes 20.35 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,757,396.9 feet and Y = 3,741,266.1 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 35 minutes 19.15 seconds North Latitude and -111 degrees 03 minutes 01.45 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,763,405.9 feet and Y = 3,738,518.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 10 North Range 8 East, Section(s) 19,20,21, Salt Lake Base & Meridian
See Attachment 1 above for a cartographic depiction of the course of this road.

1182

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

Popular Name: AR163

County: Rich

County Road Number: AR163

State Geographic Information Database (SGID) Road Identification Number: RD170438.

Total Road Length: 1.31 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
RD170438	001	BLM	1.31 Miles	A
		Total Road Length	1.31	_____

* 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.

1183

Attachment 5

AFFIDAVIT OF THOMAS L. BRITTON
RICH COUNTY, UTAH
RICH COUNTY D ROAD NO. AR163

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. AR163 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. AR163 (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 2007, (“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 2007, 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 horseback I have observed others from the general public traveling it by the same means, plus ATVs.

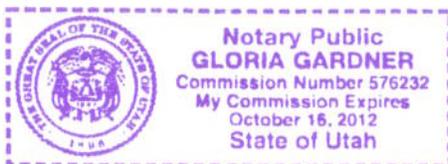
8. During the Time Period of My Experience I have personally used the Road for hunting and recreation and I have observed others from the general public using the Road for the same purposes, plus livestock operations.

DATED this 27 day of October, 2008.



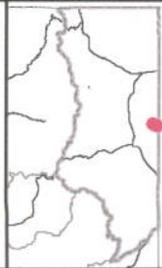
THOMAS L. BRITTON

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





NOTARY PUBLIC



1187

AR163 - Rich County
SGID RD_ID RD170438 CO_UNIQUE AR163

- | | | |
|--|---|--|
| 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"> — AR163 — 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



AFFIDAVIT OF CHARLES M. REX
RICH COUNTY, UTAH
RICH COUNTY D ROAD NO. AR163

State of Utah)
 : ss.
County of Rich)

I, CHARLES M. 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 September 22, 1942 in Salt Lake City, Utah. I have lived in Rich County for 66 years. I have been a cattle rancher for the past 58 years.

2. I have traveled and am familiar with Rich County Road No. AR163 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 163 (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 2008, (“the Time Period of My Experience”). It is the reputation in the community that the Road was traveled as early as the late 1800s, prior to my earliest recollection.

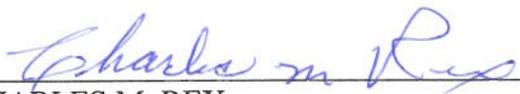
5. When I last traveled and observed the Road in 2008, it appeared to follow the same route as in the mid 1950s when I first traveled and observed it.

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

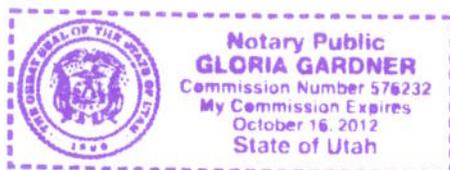
7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and horseback, and I have observed others from the general public traveling it by the same means and ATVs and jeeps.

8. During the Time Period of My Experience I have personally used the Road for livestock operations, water development access, 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, well access, hunting, predator control and sight seeing.

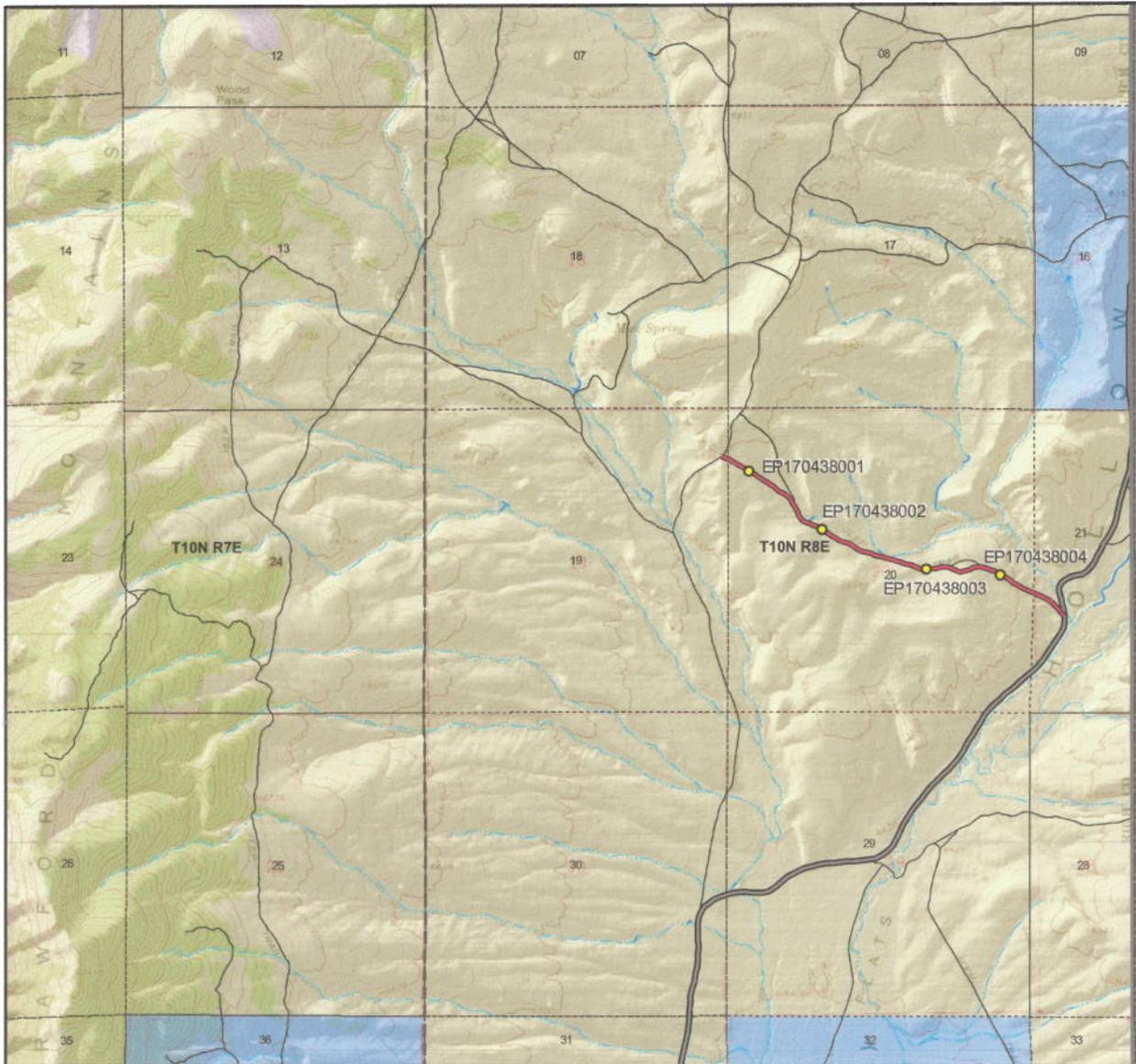
DATED this 22 day of October, 2008.


CHARLES M. REX

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




NOTARY PUBLIC



Scale
1:35,335
1 in = 16 miles

AR163 - Rich County
SGID RD_ID RD170438 CO_UNIQUE AR163

Land Ownership Categories	Misc	Transportation Network
BLM	Photo Event Point	AR163
Private	Section = 1 Mile	Title V: Issued Or Under Consideration By BLM Or County
SITLA, State Trust Land		County B Road
USFS, National Forest		State / U.S. Highway
State Parks and Recreation		Other Roads
UDWR Wildlife Reserve		

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: AR163

County: Rich

County Road Number: AR163

State Geographic Information Database (SGID) Road Identification Number: RD170438.

Road-Segment Number: 001

Road-Segment Length: 1.31 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 10 North Range 8 East, Section(s) 19,20,21, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR163)-- 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 35 minutes 046.6 seconds North Latitude and -111 degrees 04 minutes 20.35 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,757,396.9 feet and Y = 3,741,266.1 feet; thence the following courses along the said road center line:

thence South 81 Degrees 37 Minutes 40 Seconds East	32.5 feet
thence South 71 Degrees 02 Minutes 23 Seconds East	34.8 feet
thence South 66 Degrees 22 Minutes 03 Seconds East	35.6 feet
thence South 65 Degrees 02 Minutes 28 Seconds East	17.1 feet
thence South 64 Degrees 58 Minutes 28 Seconds East	9.7 feet
thence South 62 Degrees 51 Minutes 20 Seconds East	27.7 feet
thence South 59 Degrees 49 Minutes 32 Seconds East	49.1 feet
thence South 59 Degrees 31 Minutes 42 Seconds East	59.6 feet
thence South 58 Degrees 38 Minutes 37 Seconds East	62.5 feet
thence South 61 Degrees 11 Minutes 44 Seconds East	68.8 feet
thence South 61 Degrees 28 Minutes 27 Seconds East	73.4 feet
thence South 60 Degrees 44 Minutes 15 Seconds East	61.1 feet

thence South 58 Degrees 48 Minutes 11 Seconds East 45.8 feet
 thence South 60 Degrees 05 Minutes 57 Seconds East 52.8 feet
 thence South 59 Degrees 31 Minutes 24 Seconds East 61.5 feet
 thence South 57 Degrees 11 Minutes 51 Seconds East 65.5 feet
 thence South 55 Degrees 23 Minutes 03 Seconds East 66.5 feet
 thence South 55 Degrees 05 Minutes 07 Seconds East 67.1 feet
 thence South 58 Degrees 42 Minutes 15 Seconds East 68.2 feet
 thence South 58 Degrees 34 Minutes 53 Seconds East 69.9 feet
 thence South 45 Degrees 43 Minutes 40 Seconds East 66.8 feet
 thence South 54 Degrees 18 Minutes 09 Seconds East 62.5 feet
 thence South 64 Degrees 10 Minutes 23 Seconds East 61.8 feet
 thence South 57 Degrees 38 Minutes 02 Seconds East 57.7 feet
 thence South 57 Degrees 09 Minutes 49 Seconds East 49.8 feet
 thence South 54 Degrees 07 Minutes 48 Seconds East 56.1 feet
 thence South 34 Degrees 22 Minutes 07 Seconds East 59.8 feet
 thence South 24 Degrees 52 Minutes 25 Seconds East 62.4 feet
 thence South 29 Degrees 17 Minutes 51 Seconds East 63 feet
 thence South 28 Degrees 14 Minutes 34 Seconds East 62.4 feet
 thence South 29 Degrees 57 Minutes 32 Seconds East 60.4 feet
 thence South 21 Degrees 42 Minutes 49 Seconds East 58.5 feet
 thence South 25 Degrees 41 Minutes 31 Seconds East 55.9 feet
 thence South 46 Degrees 45 Minutes 43 Seconds East 55.7 feet
 thence South 61 Degrees 43 Minutes 10 Seconds East 57.6 feet
 thence South 64 Degrees 56 Minutes 31 Seconds East 42.9 feet
 thence South 80 Degrees 04 Minutes 59 Seconds East 8.7 feet
 thence South 73 Degrees 18 Minutes 57 Seconds East 17.2 feet
 thence South 69 Degrees 02 Minutes 36 Seconds East 27.1 feet
 thence South 68 Degrees 04 Minutes 51 Seconds East 31.2 feet
 thence South 69 Degrees 35 Minutes 28 Seconds East 36.1 feet
 thence South 72 Degrees 44 Minutes 47 Seconds East 48.9 feet
 thence South 66 Degrees 49 Minutes 04 Seconds East 55.1 feet
 thence South 59 Degrees 47 Minutes 12 Seconds East 61.4 feet
 thence South 56 Degrees 43 Minutes 03 Seconds East 67 feet
 thence South 53 Degrees 58 Minutes 10 Seconds East 66.4 feet
 thence South 54 Degrees 53 Minutes 47 Seconds East 62.8 feet
 thence South 59 Degrees 50 Minutes 01 Seconds East 62.1 feet
 thence South 61 Degrees 03 Minutes 43 Seconds East 68.5 feet
 thence South 66 Degrees 46 Minutes 18 Seconds East 75.5 feet
 thence South 73 Degrees 33 Minutes 05 Seconds East 68.2 feet
 thence South 68 Degrees 58 Minutes 23 Seconds East 55 feet
 thence South 66 Degrees 44 Minutes 19 Seconds East 56.6 feet
 thence South 53 Degrees 00 Minutes 50 Seconds East 59 feet
 thence South 52 Degrees 36 Minutes 50 Seconds East 62.2 feet
 thence South 68 Degrees 02 Minutes 39 Seconds East 64.9 feet
 thence South 76 Degrees 01 Minutes 46 Seconds East 69.1 feet
 thence South 76 Degrees 01 Minutes 08 Seconds East 66.4 feet
 thence South 72 Degrees 33 Minutes 44 Seconds East 62.4 feet
 thence South 69 Degrees 13 Minutes 30 Seconds East 60.2 feet
 thence South 72 Degrees 35 Minutes 45 Seconds East 67.9 feet

thence South 75 Degrees 57 Minutes 35 Seconds East 82 feet
 thence South 77 Degrees 02 Minutes 07 Seconds East 79.9 feet
 thence South 76 Degrees 27 Minutes 36 Seconds East 82.1 feet
 thence South 72 Degrees 21 Minutes 16 Seconds East 77.6 feet
 thence South 67 Degrees 53 Minutes 32 Seconds East 71.4 feet
 thence South 69 Degrees 57 Minutes 38 Seconds East 70.7 feet
 thence South 77 Degrees 54 Minutes 45 Seconds East 73.3 feet
 thence South 80 Degrees 57 Minutes 19 Seconds East 70.5 feet
 thence South 62 Degrees 13 Minutes 25 Seconds East 65.5 feet
 thence South 60 Degrees 45 Minutes 07 Seconds East 69.8 feet
 thence South 83 Degrees 59 Minutes 23 Seconds East 71.3 feet
 thence North 88 Degrees 37 Minutes 25 Seconds East 71.9 feet
 thence North 83 Degrees 32 Minutes 40 Seconds East 67.7 feet
 thence North 80 Degrees 31 Minutes 58 Seconds East 47.5 feet
 thence North 83 Degrees 09 Minutes 51 Seconds East 37.7 feet
 thence North 81 Degrees 38 Minutes 18 Seconds East 54 feet
 thence North 82 Degrees 28 Minutes 35 Seconds East 68.1 feet
 thence North 89 Degrees 23 Minutes 59 Seconds East 69.6 feet
 thence South 75 Degrees 33 Minutes 19 Seconds East 61.8 feet
 thence South 71 Degrees 12 Minutes 08 Seconds East 60.1 feet
 thence South 67 Degrees 27 Minutes 06 Seconds East 61.6 feet
 thence South 68 Degrees 07 Minutes 35 Seconds East 52.1 feet
 thence North 89 Degrees 40 Minutes 12 Seconds East 39.1 feet
 thence North 72 Degrees 24 Minutes 53 Seconds East 45.4 feet
 thence North 75 Degrees 17 Minutes 50 Seconds East 54.2 feet
 thence North 69 Degrees 42 Minutes 51 Seconds East 58.7 feet
 thence North 66 Degrees 30 Minutes 41 Seconds East 61.8 feet
 thence North 77 Degrees 31 Minutes 59 Seconds East 62.4 feet
 thence North 87 Degrees 30 Minutes 53 Seconds East 61.1 feet
 thence South 79 Degrees 53 Minutes 32 Seconds East 63.4 feet
 thence South 73 Degrees 49 Minutes 32 Seconds East 64.7 feet
 thence South 70 Degrees 19 Minutes 23 Seconds East 68.1 feet
 thence South 67 Degrees 35 Minutes 12 Seconds East 70.5 feet
 thence South 64 Degrees 13 Minutes 13 Seconds East 73.8 feet
 thence South 62 Degrees 59 Minutes 15 Seconds East 75.7 feet
 thence South 61 Degrees 06 Minutes 51 Seconds East 79.3 feet
 thence South 58 Degrees 17 Minutes 57 Seconds East 78.6 feet
 thence South 52 Degrees 33 Minutes 50 Seconds East 75.6 feet
 thence South 58 Degrees 03 Minutes 54 Seconds East 76.9 feet
 thence South 61 Degrees 25 Minutes 14 Seconds East 75.4 feet
 thence South 62 Degrees 50 Minutes 35 Seconds East 54.8 feet
 thence South 64 Degrees 20 Minutes 52 Seconds East 57.7 feet
 thence South 66 Degrees 49 Minutes 52 Seconds East 65.9 feet
 thence South 71 Degrees 23 Minutes 52 Seconds East 62.2 feet
 thence South 71 Degrees 23 Minutes 59 Seconds East 9.6 feet
 thence South 64 Degrees 46 Minutes 47 Seconds East 74.6 feet
 thence South 60 Degrees 12 Minutes 10 Seconds East 73.2 feet
 thence South 66 Degrees 01 Minutes 03 Seconds East 70.9 feet
 thence South 70 Degrees 25 Minutes 02 Seconds East 68.4 feet

thence South 53 Degrees 49 Minutes 57 Seconds East 70.6 feet
thence South 42 Degrees 45 Minutes 58 Seconds East 77.8 feet
thence South 42 Degrees 32 Minutes 28 Seconds East 81.1 feet
thence South 39 Degrees 27 Minutes 09 Seconds East 63.5 feet
thence South 41 Degrees 13 Minutes 18 Seconds East 42.1 feet
thence South 53 Degrees 58 Minutes 56 Seconds East 21.6 feet
thence South 42 Degrees 33 Minutes 34 Seconds East 28.8 feet more or less to **the ending**

point at: 41 degrees 35 minutes 19.15 seconds North Latitude and -111 degrees 03 minutes 01.45 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,763,405.9 feet and Y = 3,738,518.8 feet.