

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

Recorded NOV 17 2008 Filing No. 76142  
At 11:13 AM/PM in Book S10 Page 1670  
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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 AR16D; County Road Number: AR16D; State Geographic Information Database (SGID) Road Identification Number: RD170449. Total road length is 0.81 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

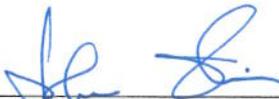
Internet at <http://recorded2477roads.utah.gov>.

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 10<sup>th</sup> day of November, 2008.

By the Governor's Designee

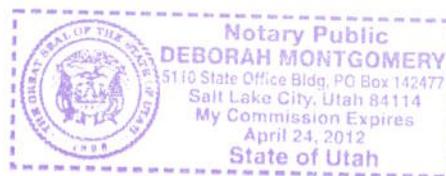
  
\_\_\_\_\_  
John Harja

### CERTIFICATION

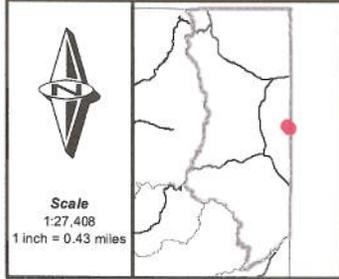
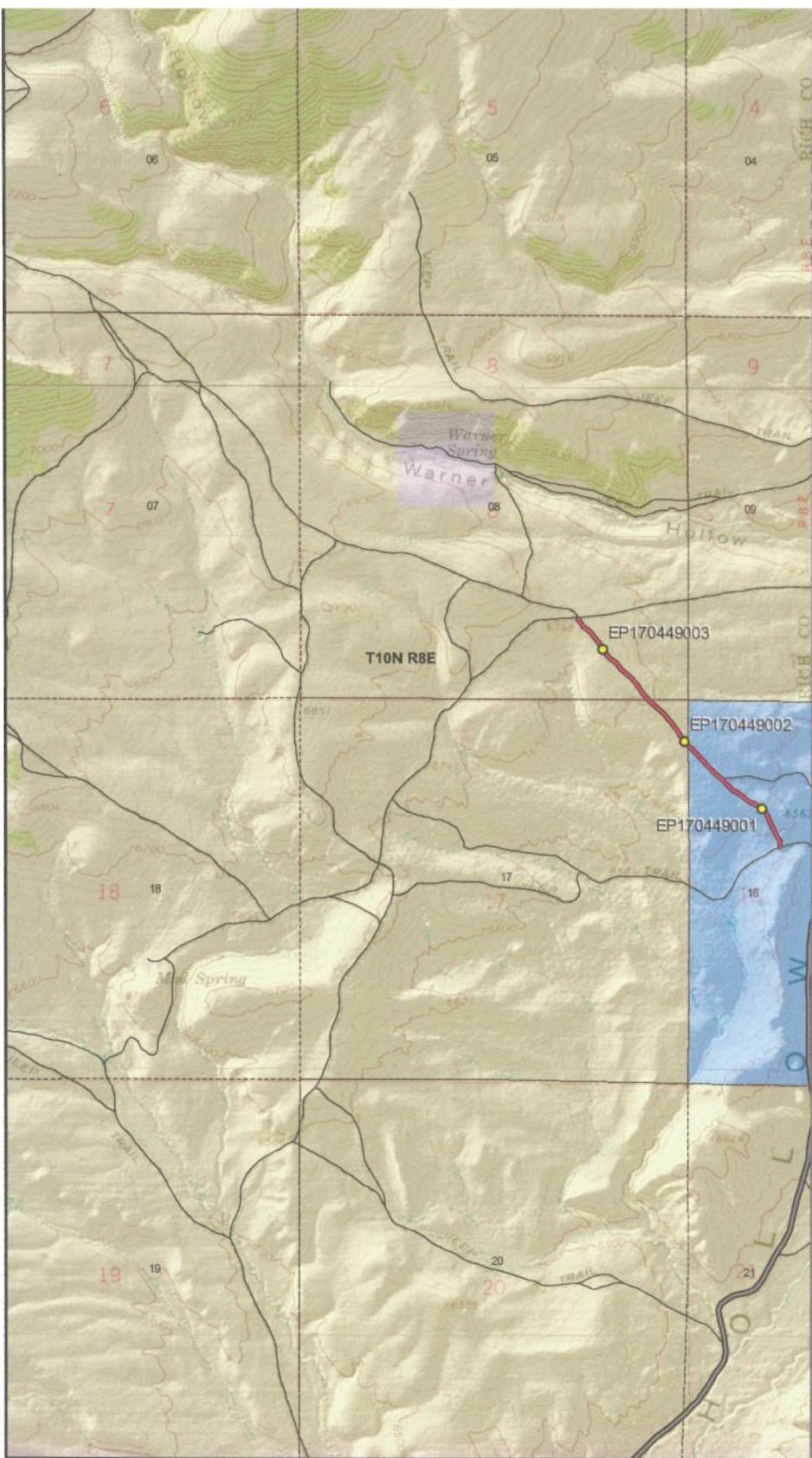
State of Utah                    )  
  : ss  
County of Salt Lake         )

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 10<sup>th</sup> day of November, 2008.

  
\_\_\_\_\_  
Notary Public

1308 1671



**AR16D - Rich County**  
**SGID RD\_ID RD170449 CO\_UNIQUE AR16D**

- | Land Ownership Categories  | Misc              | Transportation Network                                  |
|----------------------------|-------------------|---|
| BLM                        | Photo Event Point | AR16D   |
| Private                    | Section = 1 Mile  | Title V: Issued Or Under Consideration By BLM Or County |
| SITLA, State Trust Land    | 1309              | 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





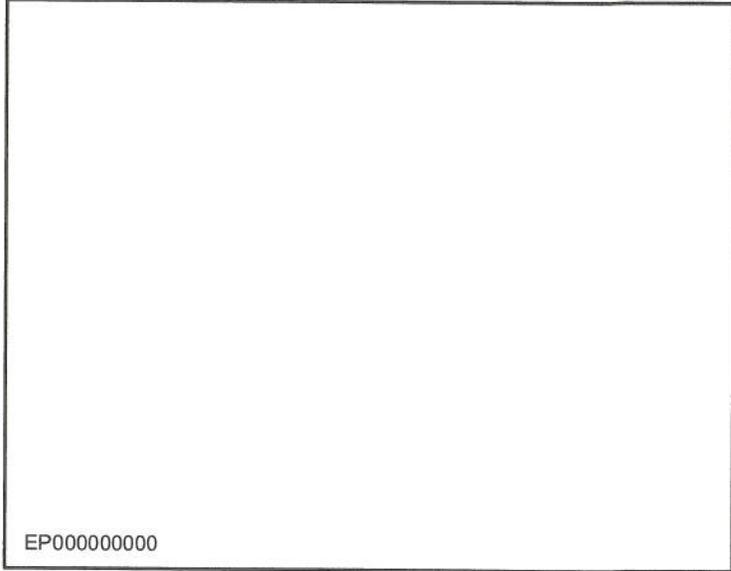
EP170449001



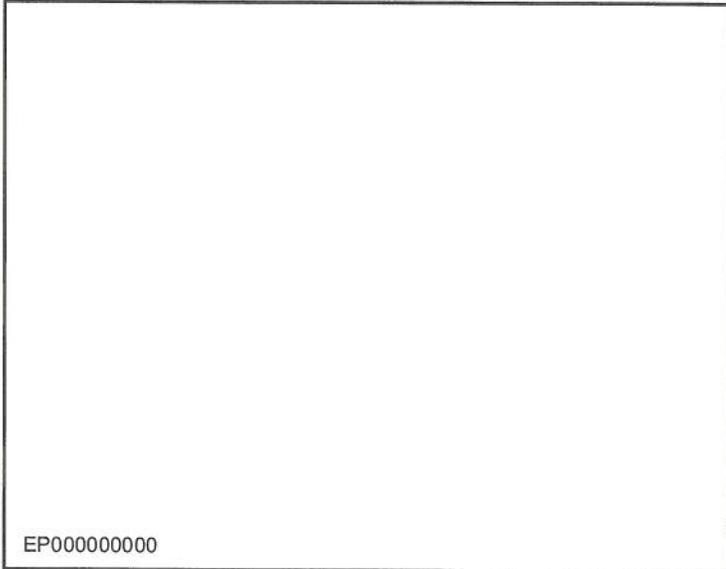
EP170449002



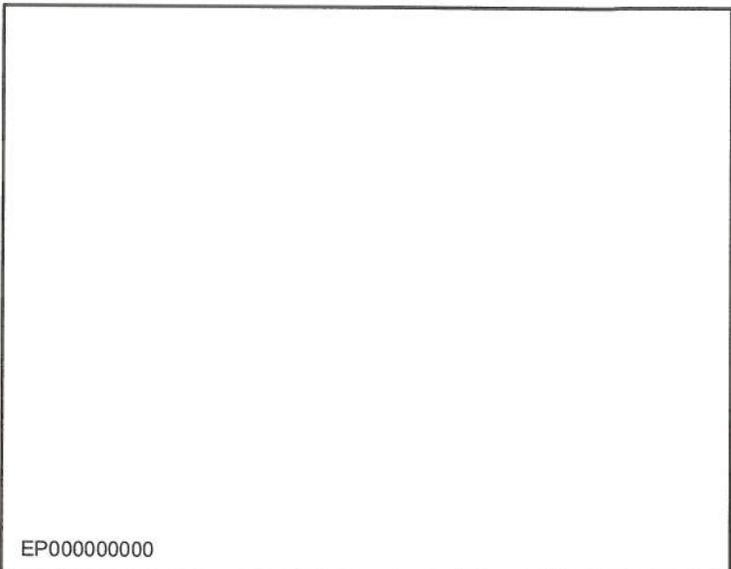
EP170449003



EP000000000



EP000000000



EP000000000

**AR16D - Rich County  
SGID RD\_ID RD170449**

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



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### Attachment 3

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

**Popular Name: AR16D**

**County: Rich**

**County Road Number: AR16D**

**State Geographic Information Database (SGID) Road Identification Number: RD170449.**

**Total Road Length: 0.81 miles more or less.**

**Beginning at a point** on the road centerline located at 41 degrees 36 minutes 27.11 seconds North Latitude and -111 degrees 02 minutes 51.67 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,764,113.6 feet and Y = 3,745,400.9 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 41 degrees 36 minutes 58.33 seconds North Latitude and -111 degrees 03 minutes 28.46 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,761,302.4 feet and Y = 3,748,546.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 10 North Range 8 East, Section(s) 8,16,17, Salt Lake Base & Meridian  
See Attachment 1 above for a cartographic depiction of the course of this road.

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

**Popular Name: AR16D**

**County: Rich**

**County Road Number: AR16D**

**State Geographic Information Database (SGID) Road Identification Number: RD170449.**

**Total Road Length: 0.81 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).**

<b>Road-Segments Listed by SGID Road Identification Number (RD ID)</b>	<b>Road-Segment Numbers</b>	<b>Believed Ownership Of Servient Estate</b>	<b>Approximate Segment Length</b>	<b>See Attached Appendix</b>
<b>RD170449</b>	<b>001</b>	<b>ST</b>	<b>0.37 Miles</b>	<b>(not shown)</b>
<b>RD170449</b>	<b>002</b>	<b>BLM</b>	<b>0.45 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>0.81</b>	<b>_____</b>

\* 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.

~~1312~~ 1675

## Attachment 5

**AFFIDAVIT OF THOMAS L. BRITTON**  
**RICH COUNTY, UTAH**  
**RICH COUNTY D ROAD NO. AR16D**

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. AR16D 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. AR16D (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.

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4. I have personally traveled the Road from the early 1960s through 1976 and continuing until the late 1980s, (“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 the late 1980s, 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.

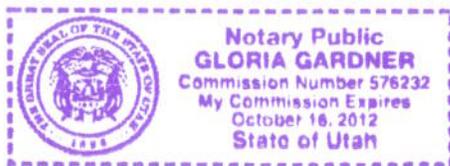
7. During the Time Period of My Experience I have personally traveled the Road by pickup truck and horseback I have observed others from the general public traveling it by the same means, plus ATVs.

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.

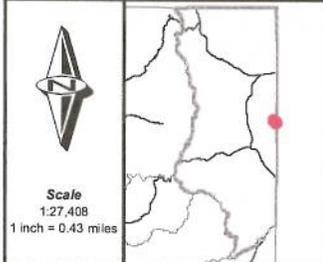
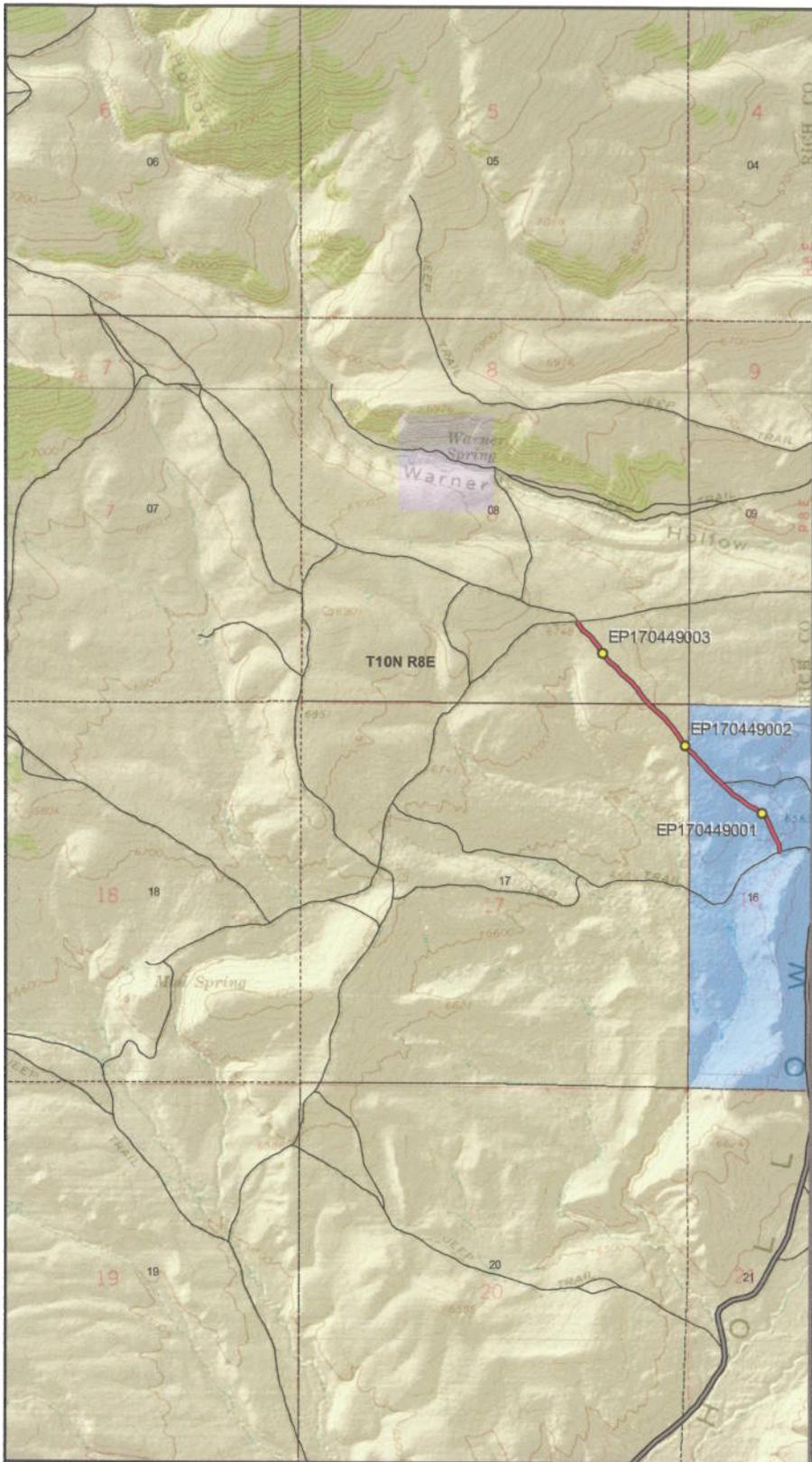
  
\_\_\_\_\_  
THOMAS L. BRITTON

SUBSCRIBED AND SWORN to before me this 27<sup>th</sup> day of October, 2008.



  
\_\_\_\_\_  
NOTARY PUBLIC

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**AR16D - Rich County**  
**SGID RD\_ID RD170449 CO\_UNIQUE AR16D**

<b>Land Ownership Categories</b>	<b>Misc</b>	<b>Transportation Network</b>
<ul style="list-style-type: none"> <li><span style="color: yellow;">●</span> BLM</li> <li><span style="color: lightblue;">◆</span> Private</li> <li><span style="color: blue;">◆</span> SITLA, State Trust Land</li> <li><span style="color: green;">◆</span> USFS, National Forest</li> <li><span style="color: darkblue;">◆</span> State Parks and Recreation</li> <li><span style="color: purple;">◆</span> UDWR Wildlife Reserve</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: yellow;">●</span> Photo Event Point</li> <li><span style="border: 1px dashed black; display: inline-block; width: 10px; height: 10px;"></span> Section = 1 Mile</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: red;">—</span> AR16D</li> <li><span style="color: red;">—</span> Title V; Issued Or Under Consideration By BLM Or County</li> <li><span style="color: black;">—</span> County B Road</li> <li><span style="color: black;">—</span> State / U.S. Highway</li> <li><span style="color: black;">—</span> Other Roads</li> </ul>

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

1316 1679

**AFFIDAVIT OF CHARLES M. REX**  
**RICH COUNTY, UTAH**  
**RICH COUNTY D ROAD NO. AR16D**

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. AR16D 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 16D (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.

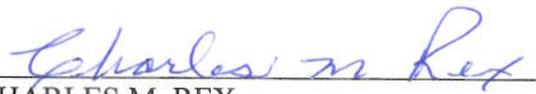
5. When I last traveled and observed the Road in 2008, it appeared to follow the same route as in the mid 1950s when I first traveled and observed it.

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.

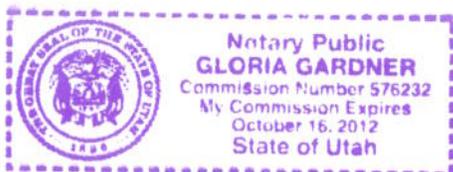
7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and horseback, and I have observed others from the general public traveling it by the same means and ATVs and jeeps.

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

DATED this 22 day of October, 2008.

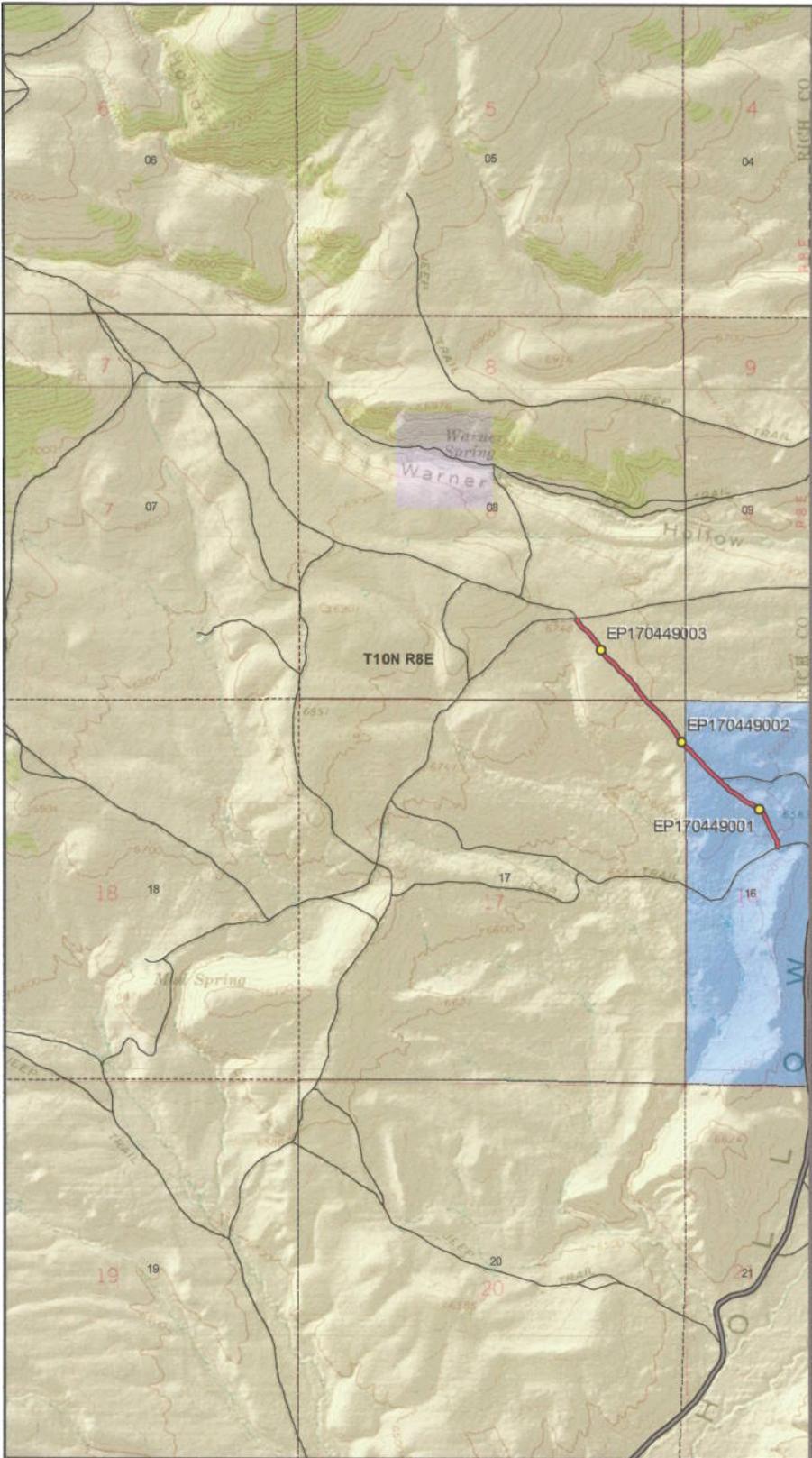
  
CHARLES M. REX

SUBSCRIBED AND SWORN to before me this 22<sup>nd</sup> day of October, 2008.



  
NOTARY PUBLIC

~~1318~~ 1681



Scale  
1:27,408  
1 inch = 0.43 miles

**AR16D - Rich County**  
**SGID RD\_ID RD170449 CO\_UNIQUE AR16D**

Land Ownership Categories	Misc	Transportation Network
<ul style="list-style-type: none"> <li><span style="color: yellow;">●</span> BLM</li> <li><span style="color: lightblue;">◆</span> Private</li> <li><span style="color: blue;">◆</span> SITLA, State Trust Land</li> <li><span style="color: green;">◆</span> USFS, National Forest</li> <li><span style="color: darkblue;">◆</span> State Parks and Recreation</li> <li><span style="color: darkgrey;">◆</span> UDWR Wildlife Reserve</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: yellow;">●</span> Photo Event Point</li> <li><span style="border: 1px dashed black; display: inline-block; width: 10px; height: 10px;"></span> Section = 1 Mile</li> </ul>	<ul style="list-style-type: none"> <li><span style="border-bottom: 2px solid red; width: 20px; display: inline-block;"></span> AR16D</li> <li><span style="border-bottom: 2px solid red; width: 20px; display: inline-block;"></span> Title V; Issued Or Under Consideration By BLM Or County</li> <li><span style="border-bottom: 2px solid black; width: 20px; display: inline-block;"></span> County B Road</li> <li><span style="border-bottom: 4px solid black; width: 20px; display: inline-block;"></span> State / U.S. Highway</li> <li><span style="border-bottom: 1px solid black; width: 20px; display: inline-block;"></span> Other Roads</li> </ul>

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

1319 1682

## Appendix A to Attachment 4

**Popular Name: AR16D**

**County: Rich**

**County Road Number: AR16D**

**State Geographic Information Database (SGID) Road Identification Number: RD170449.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.45 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) 8,17, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR16D)-- 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 36 minutes 40.84 seconds North Latitude and -111 degrees 03 minutes 08.55 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,762,823.7 feet and Y = 3,746,784.3 feet; thence the following courses along the said road center line:

thence North 43 Degrees 44 Minutes 04 Seconds West 35 feet  
thence North 39 Degrees 55 Minutes 22 Seconds West 56.6 feet  
thence North 36 Degrees 19 Minutes 58 Seconds West 56.4 feet  
thence North 33 Degrees 11 Minutes 08 Seconds West 56.3 feet  
thence North 37 Degrees 32 Minutes 34 Seconds West 54.8 feet  
thence North 37 Degrees 20 Minutes 11 Seconds West 55.1 feet  
thence North 38 Degrees 23 Minutes 20 Seconds West 53.8 feet  
thence North 40 Degrees 35 Minutes 13 Seconds West 53.3 feet  
thence North 40 Degrees 02 Minutes 40 Seconds West 52.9 feet  
thence North 38 Degrees 25 Minutes 34 Seconds West 52.1 feet  
thence North 44 Degrees 48 Minutes 49 Seconds West 51.5 feet  
thence North 48 Degrees 02 Minutes 49 Seconds West 137.1 feet

thence North 47 Degrees 22 Minutes 31 Seconds West 52 feet  
thence North 46 Degrees 20 Minutes 06 Seconds West 52.9 feet  
thence North 44 Degrees 35 Minutes 19 Seconds West 25.1 feet  
thence North 44 Degrees 34 Minutes 15 Seconds West 28 feet  
thence North 40 Degrees 08 Minutes 07 Seconds West 53.8 feet  
thence North 38 Degrees 39 Minutes 47 Seconds West 54 feet  
thence North 37 Degrees 48 Minutes 54 Seconds West 55 feet  
thence North 34 Degrees 24 Minutes 56 Seconds West 52.7 feet  
thence North 35 Degrees 08 Minutes 28 Seconds West 51.2 feet  
thence North 36 Degrees 32 Minutes 40 Seconds West 51.7 feet  
thence North 47 Degrees 36 Minutes 01 Seconds West 52.7 feet  
thence North 53 Degrees 19 Minutes 09 Seconds West 53.4 feet  
thence North 51 Degrees 17 Minutes 13 Seconds West 53.7 feet  
thence North 44 Degrees 50 Minutes 54 Seconds West 55.2 feet  
thence North 41 Degrees 15 Minutes 40 Seconds West 55.6 feet  
thence North 43 Degrees 13 Minutes 34 Seconds West 56.9 feet  
thence North 50 Degrees 18 Minutes 35 Seconds West 56.1 feet  
thence North 51 Degrees 00 Minutes 57 Seconds West 53.9 feet  
thence North 42 Degrees 17 Minutes 25 Seconds West 52.5 feet  
thence North 37 Degrees 07 Minutes 39 Seconds West 52.1 feet  
thence North 36 Degrees 02 Minutes 11 Seconds West 51.7 feet  
thence North 30 Degrees 04 Minutes 29 Seconds West 52.9 feet  
thence North 30 Degrees 20 Minutes 05 Seconds West 53.8 feet  
thence North 38 Degrees 33 Minutes 49 Seconds West 55.2 feet  
thence North 42 Degrees 14 Minutes 32 Seconds West 56 feet  
thence North 40 Degrees 42 Minutes 27 Seconds West 54.7 feet  
thence North 43 Degrees 15 Minutes 58 Seconds West 51.6 feet  
thence North 51 Degrees 04 Minutes 03 Seconds West 48.7 feet  
thence North 53 Degrees 12 Minutes 47 Seconds West 45.7 feet  
thence North 45 Degrees 01 Minutes 00 Seconds West 42.5 feet  
thence North 33 Degrees 05 Minutes 37 Seconds West 39.4 feet  
thence North 23 Degrees 09 Minutes 48 Seconds West 33.8 feet  
thence North 09 Degrees 18 Minutes 27 Seconds East 35.3 feet more or less to **the ending point at:** 41 degrees 36 minutes 58.33 seconds North Latitude and -111 degrees 03 minutes 28.46 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,761,302.4 feet and Y = 3,748,546.4 feet.