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

Recorded NOV 1 3 2008 Filing No. 76105
At 9:15 AM/PM in Book 510 Page 1333
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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 AR170; County Road Number: AR170; State Geographic Information Database (SGID) Road Identification Number: RD170451. Total road length is 0.71 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)

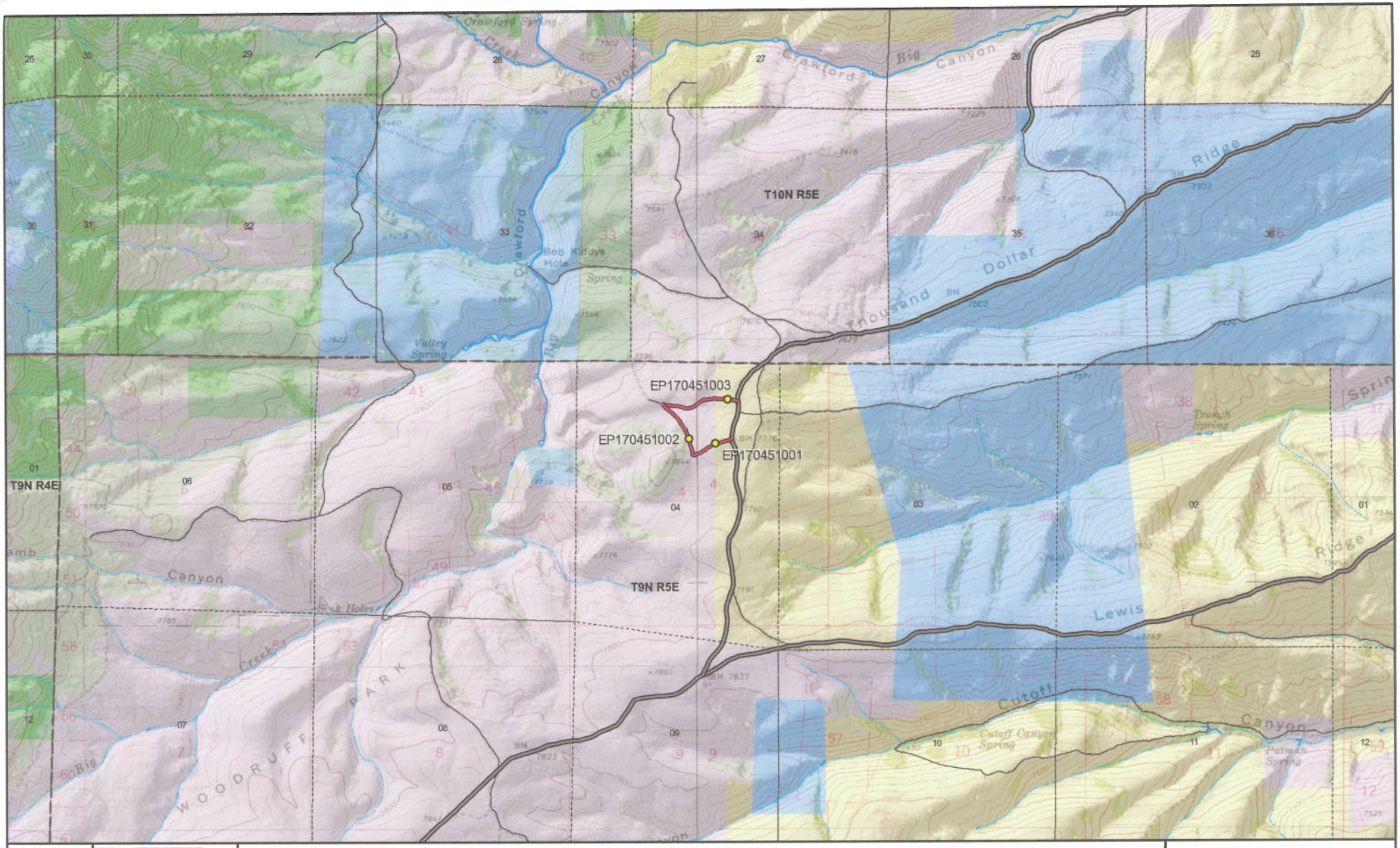
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

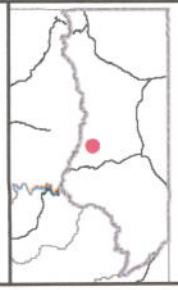
Dated this 10th day of November, 2008.

Deborah Montgomery
Notary Public

Notary Public
DEBORAH MONTGOMERY
5110 State Office Bldg, PO Box 142477
Salt Lake City, Utah 84114
My Commission Expires
April 24, 2012
State of Utah

1334





Scale
1:32,265
1 in = 16 miles

AR170 - Rich County
SGID RD_ID RD170451 CO_UNIQUE AR170

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
- AR170
- 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

EP170451001

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AR170 - Rich County
SGID RD_ID RD170451

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

1336

Attachment 3

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

Popular Name: AR170
County: Rich
County Road Number: AR170
State Geographic Information Database (SGID) Road Identification Number: RD170451.
Total Road Length: 0.71 miles more or less.

Beginning at a point on the road centerline located at 41 degrees 32 minutes 58.73 seconds North Latitude and -111 degrees 22 minutes 23.35 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,675,137.2 feet and Y = 3,724,013.4 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 33 minutes 06.25 seconds North Latitude and -111 degrees 22 minutes 21.64 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,675,266.4 feet and Y = 3,724,774.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 9 North Range 5 East, Section(s) 4, 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: AR170
County: Rich
County Road Number: AR170
State Geographic Information Database (SGID) Road Identification Number: RD170451.
Total Road Length: 0.71 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
RD170451	001	BLM	0.07 Miles	A
RD170451	002	PVT	0.55 Miles	(not shown)
RD170451	003	BLM	0.09 Miles	B
		Total Road Length	0.71	————

*** 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.

Attachment 5

AFFIDAVIT OF GEORGE O. FRAZIER

RICH COUNTY, UTAH

RICH COUNTY D ROAD NO. AR170

State of Utah)
: ss.
County of Rich)

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

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

2. I have traveled and am familiar with Rich County Road No. AR170 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 170 (the "Road") are the same road:

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

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

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

4. I have personally traveled the Road from 1960 through 1976 and continuing until 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 1960 when I first traveled and observed it.

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

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

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

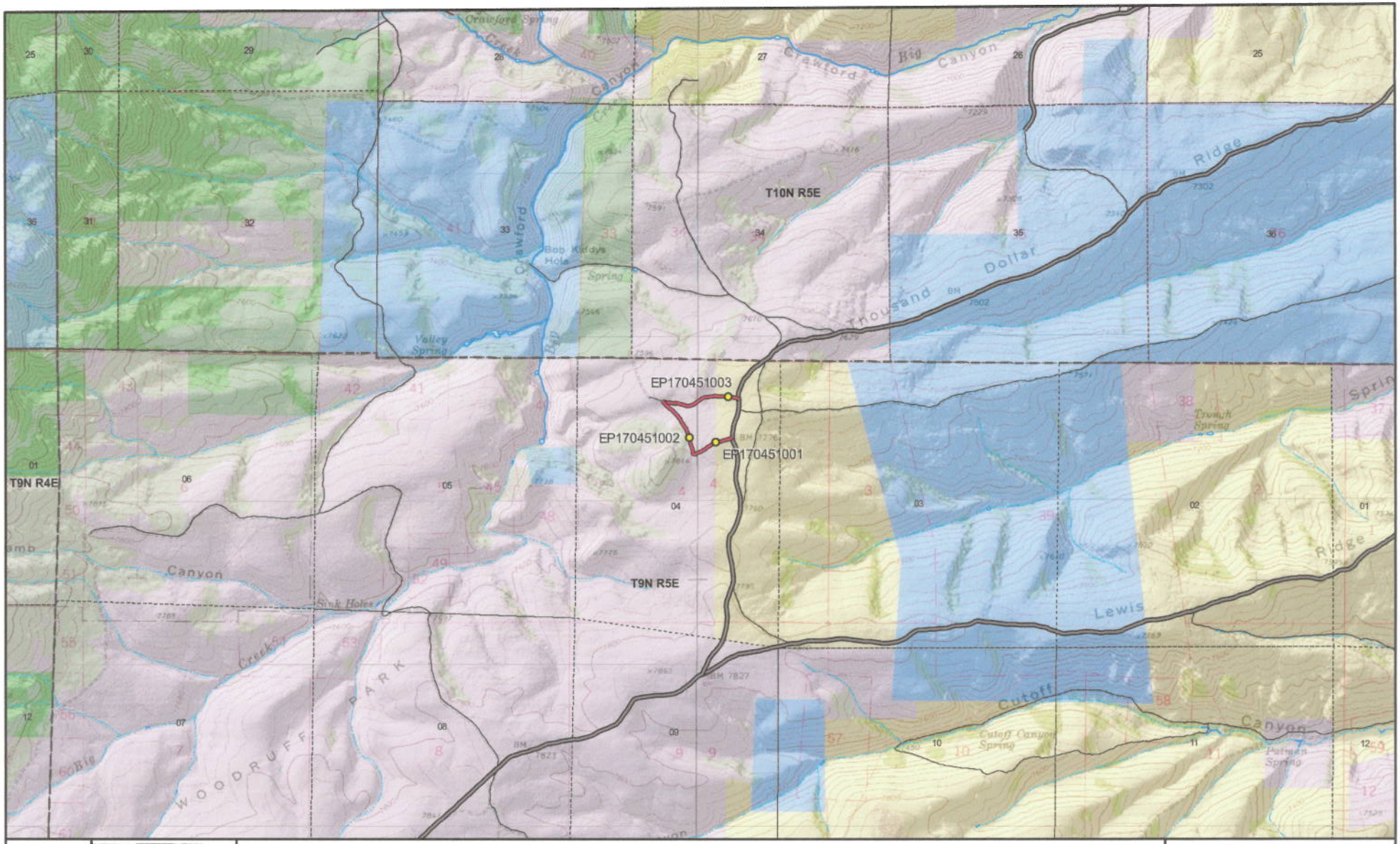
DATED this 27 day of October, 2008.

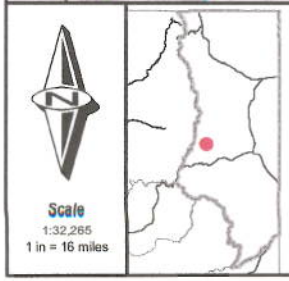
GEORGE O. FRAZIER

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
1:32,265
1 in = 16 miles

AR170 - Rich County
SGID RD_ID RD170451 CO_UNIQUE AR170

Land Ownership Categories
- BLM
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- SITLA, State Trust Land
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- Photo Event Point
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Transportation Network
- AR170
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Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Oct 20, 2008

AFFIDAVIT OF BEN A. ARGYLE

RICH COUNTY, UTAH

RICH COUNTY D ROAD NO. AR170

State of Utah)
: ss.
County of Rich)

I, BEN A. ARGYLE, 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 August 16, 1946 in Coalville, Utah. I have lived in Rich County for 58 years. I have been a cattle rancher for the past 50 years.

2. I have traveled and am familiar with Rich County Road No. AR170 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 170 (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 1962 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 1962 when I first traveled and observed it.

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

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

8. During the Time Period of My Experience I have personally used the Road for livestock operations, hunting, 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, wildlife study, fence maintenance, predator control, sightseeing.

DATED this 23 day of October, 2008.

Ben A. Argyle

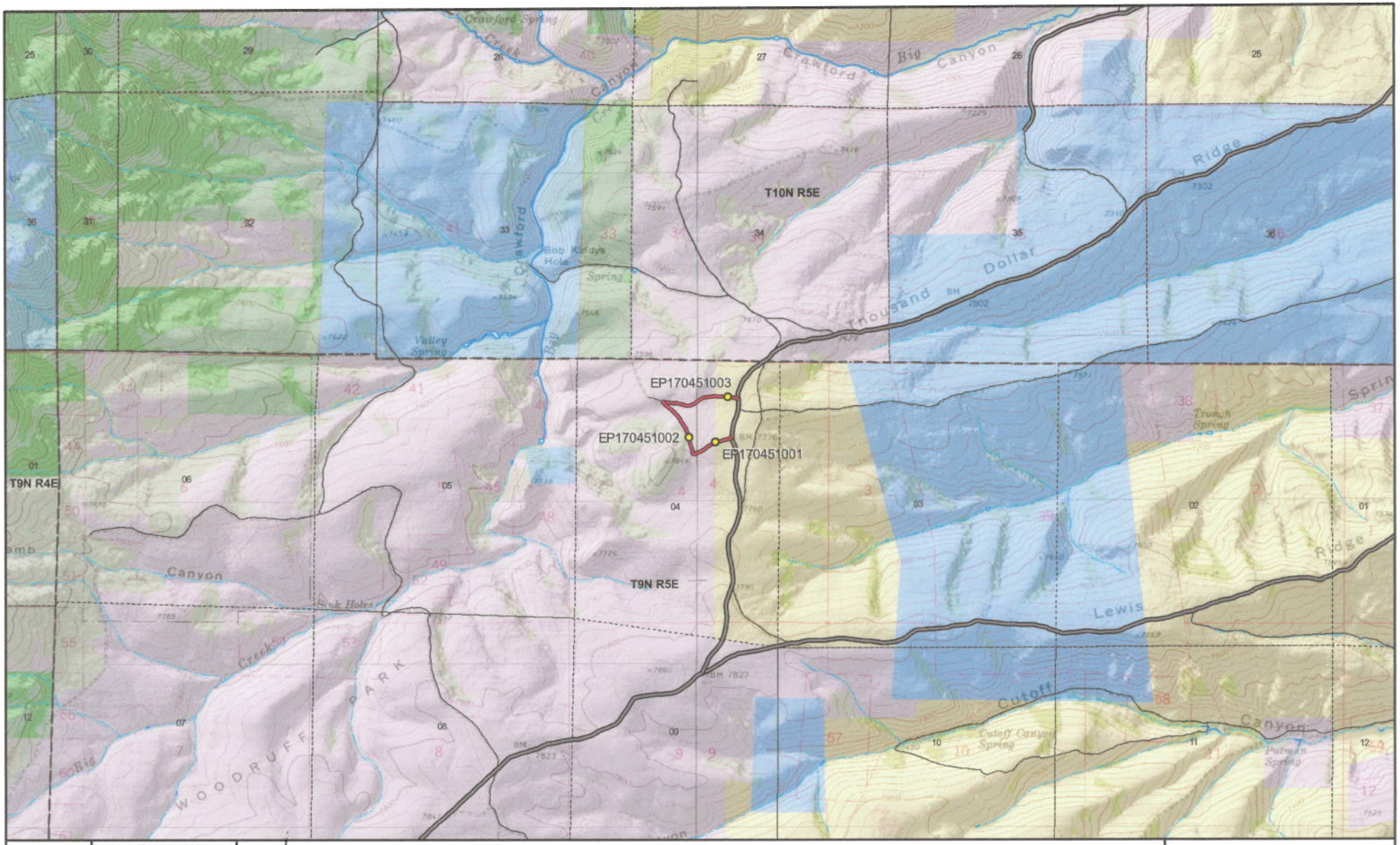
BEN A. ARGYLE

SUBSCRIBED AND SWORN to before me this 23rd 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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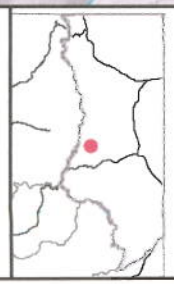

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AR170 - Rich County

SGID RD_ID RD170451 CO_UNIQUE AR170

Land Ownership Categories
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- Photo Event Point
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Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Oct 20, 2008

UTAH AGRC

Appendix A to Attachment 4

Popular Name: AR170
County: Rich
County Road Number: AR170
State Geographic Information Database (SGID) Road Identification Number: RD170451.
Road-Segment Number: 001
Road-Segment Length: 0.07 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 9 North Range 5 East, Section(s) 4, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR170)-- 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 32 minutes 58.73 seconds North Latitude and -111 degrees 22 minutes 23.35 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,675,137.2 feet and Y = 3,724,013.4 feet; thence the following courses along the said road center line:

thence South 32 Degrees 50 Minutes 50 Seconds West 30.6 feet
thence South 54 Degrees 55 Minutes 32 Seconds West 24.8 feet
thence South 78 Degrees 59 Minutes 02 Seconds West 35.4 feet
thence South 71 Degrees 06 Minutes 20 Seconds West 46.4 feet
thence South 75 Degrees 10 Minutes 29 Seconds West 49.8 feet
thence South 81 Degrees 56 Minutes 24 Seconds West 46.4 feet
thence South 67 Degrees 14 Minutes 34 Seconds West 44.7 feet
thence South 73 Degrees 43 Minutes 24 Seconds West 33.5 feet
thence South 86 Degrees 19 Minutes 49 Seconds West 39.5 feet
thence South 77 Degrees 06 Minutes 51 Seconds West 23.7 feet more or less to **the ending point at:** 41 degrees 32 minutes 057.6 seconds North Latitude and -111 degrees 22 minutes 027.9 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet

coordinates of X = 1,674,791.8 feet and Y = 3,723,897.9 feet.

Appendix B to Attachment 4

Popular Name: AR170
County: Rich
County Road Number: AR170
State Geographic Information Database (SGID) Road Identification Number: RD170451.
Road-Segment Number: 003
Road-Segment Length: 0.09 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 9 North Range 5 East, Section(s) 4, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR170)-- 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 33 minutes 06.84 seconds North Latitude and -111 degrees 22 minutes 27.82 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,674,796.3 feet and Y = 3,724,832.9 feet; thence the following courses along the said road center line:

thence South 87 Degrees 52 Minutes 42 Seconds East 37.6 feet
thence South 87 Degrees 02 Minutes 13 Seconds East 45.7 feet
thence South 87 Degrees 26 Minutes 53 Seconds East 45.7 feet
thence South 89 Degrees 53 Minutes 49 Seconds East 43.3 feet
thence South 89 Degrees 20 Minutes 36 Seconds East 38.1 feet
thence South 84 Degrees 27 Minutes 41 Seconds East 35.3 feet
thence South 80 Degrees 04 Minutes 27 Seconds East 35 feet
thence South 79 Degrees 22 Minutes 37 Seconds East 31.1 feet
thence South 86 Degrees 04 Minutes 20 Seconds East 30.9 feet
thence South 83 Degrees 07 Minutes 30 Seconds East 28.8 feet
thence South 81 Degrees 40 Minutes 42 Seconds East 30.5 feet
thence South 74 Degrees 53 Minutes 05 Seconds East 25.9 feet

thence South 80 Degrees 24 Minutes 17 Seconds East 26.7 feet
thence South 50 Degrees 14 Minutes 43 Seconds East 19.8 feet
thence South 50 Degrees 09 Minutes 55 Seconds East 4.7 feet more or less to **the ending point at:** 41 degrees 33 minutes 06.25 seconds North Latitude and -111 degrees 22 minutes 21.64 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,675,266.4 feet and Y = 3,724,774.6 feet.