

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

Recorded NOV 10 2008 Filing No. 75878  
At 3:15 ~~AM~~/PM in Book R10 Page 1144  
Fee None 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 AR38E; County Road Number: AR38E; State Geographic Information Database (SGID) Road Identification Number: RD170478. Total road length is 0.49 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as “Attachment 1,” a printed copy of representative photos of the road is appended hereto as “Attachment 2,” a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as “Attachment 3,” and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as “Attachment 4.” The Appendices listed in “Attachment 4” that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as “Attachment 5.”

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

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

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

**In Witness Whereof**, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 10<sup>th</sup> day of November, 2008.

By the Governor's Designee

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

### CERTIFICATION

State of Utah                    )  
  : ss  
County of Salt Lake         )

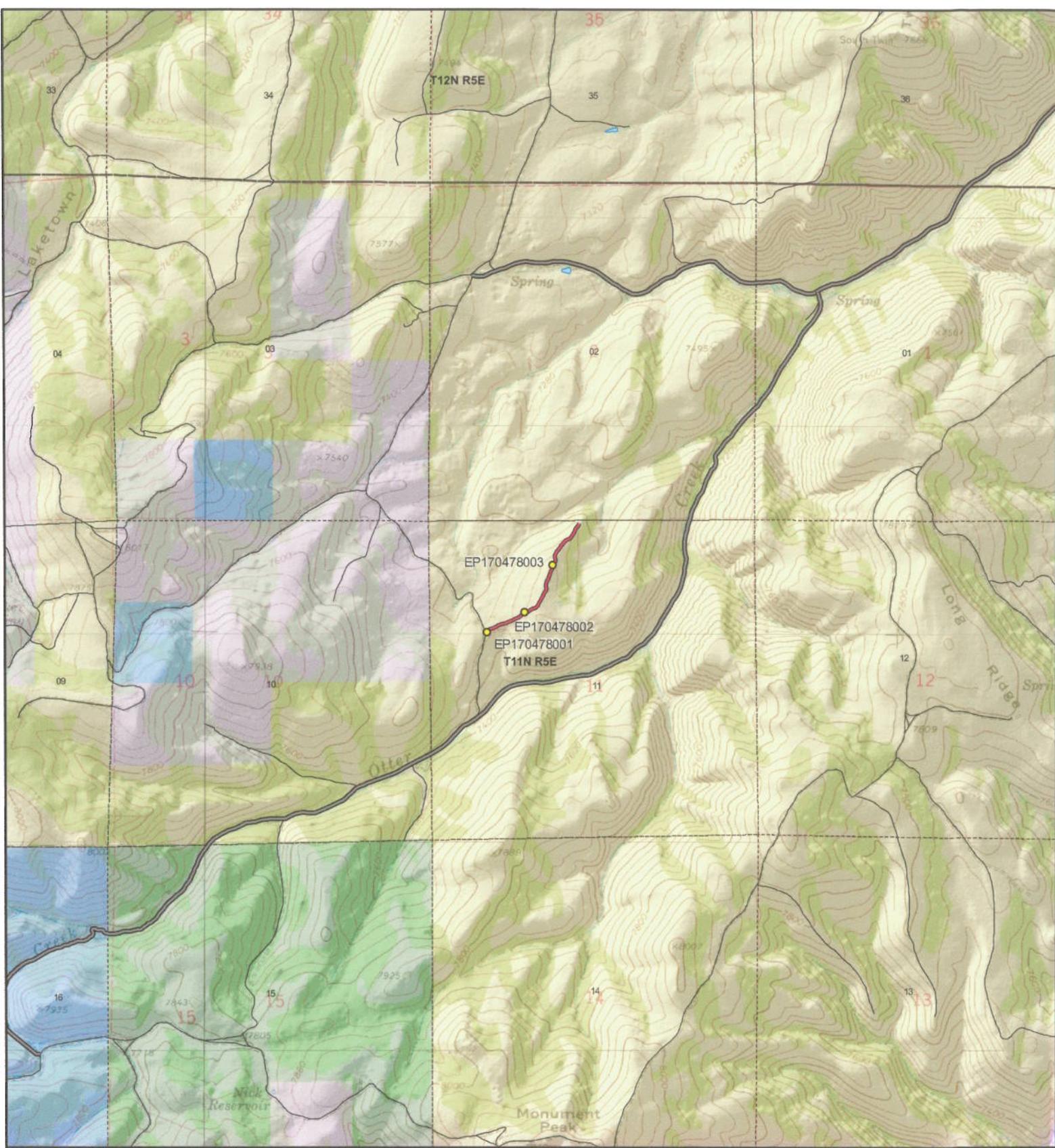
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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



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**AR38E - Rich County**

**SGID RD\_ID RD170478 CO\_UNIQUE AR38E**

**Land Ownership Categories**

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

**Misc**

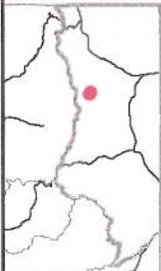
- Photo Event Point
- Section = 1 Mile

**Transportation Network**

- AR38E
- Title V: Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads



Scale  
1:25,578  
1 in = 0 miles



Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Oct 16, 2008





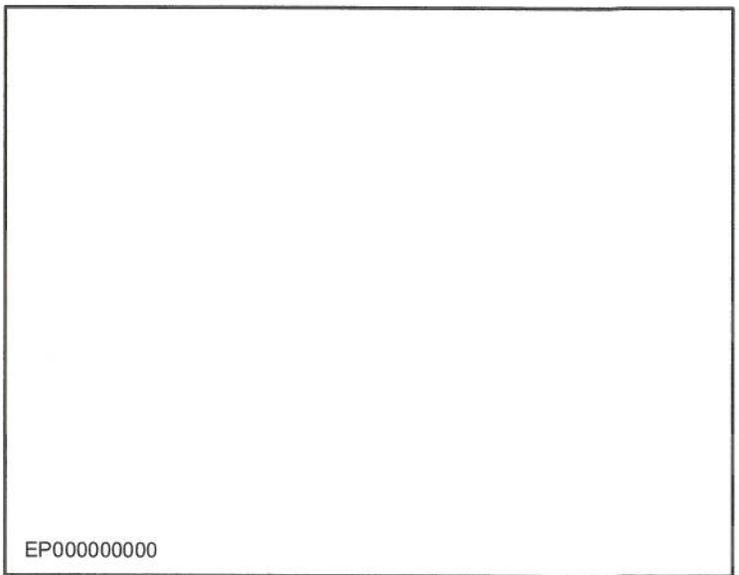
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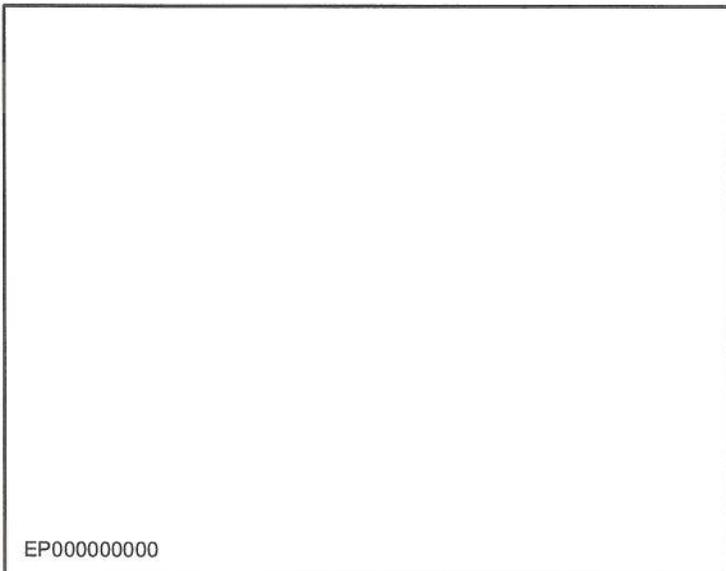
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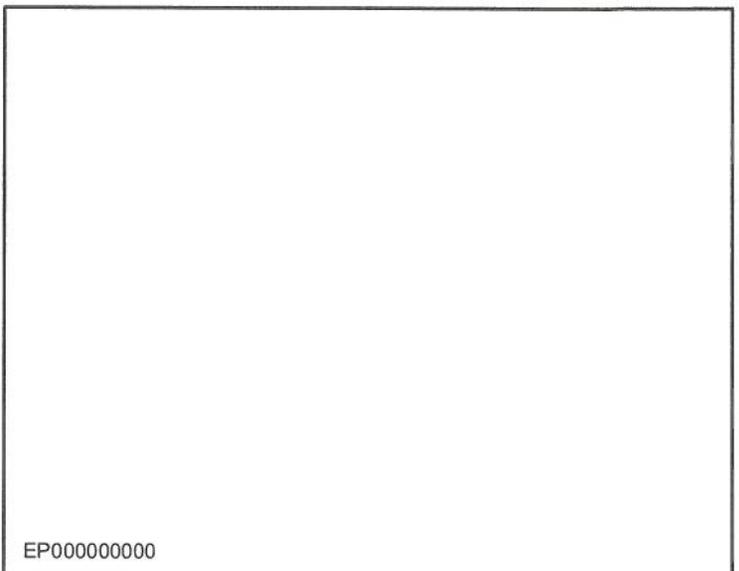
EP170478003



EP000000000



EP000000000



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**AR38E - Rich County  
SGID RD\_ID RD170478**

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: AR38E**

**County: Rich**

**County Road Number: AR38E**

**State Geographic Information Database (SGID) Road Identification Number: RD170478.**

**Total Road Length: 0.49 miles more or less.**

**Beginning at a point** on the road centerline located at 41 degrees 42 minutes 29.61 seconds North Latitude and -111 degrees 21 minutes 32.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,678,933.0 feet and Y = 3,781,801.9 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 41 degrees 42 minutes 047.6 seconds North Latitude and -111 degrees 21 minutes 11.72 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,680,482.8 feet and Y = 3,783,624.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 11 North Range 5 East, Section(s) 11, 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: AR38E**

**County: Rich**

**County Road Number: AR38E**

**State Geographic Information Database (SGID) Road Identification Number: RD170478.**

**Total Road Length: 0.49 miles more or less.**

**Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).**

<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>RD170478</b>	<b>001</b>	<b>BLM</b>	<b>0.49 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>0.49</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.

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**Attachment 5**

**AFFIDAVIT OF WILLIAM S. REX**  
**RICH COUNTY, UTAH**  
**RICH COUNTY D ROAD NO. AR38E**

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 38E 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 38E (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 2007, (“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 2007, 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 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 jeeps and ATVs.

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

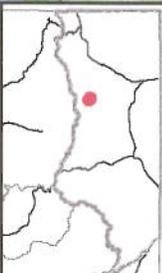
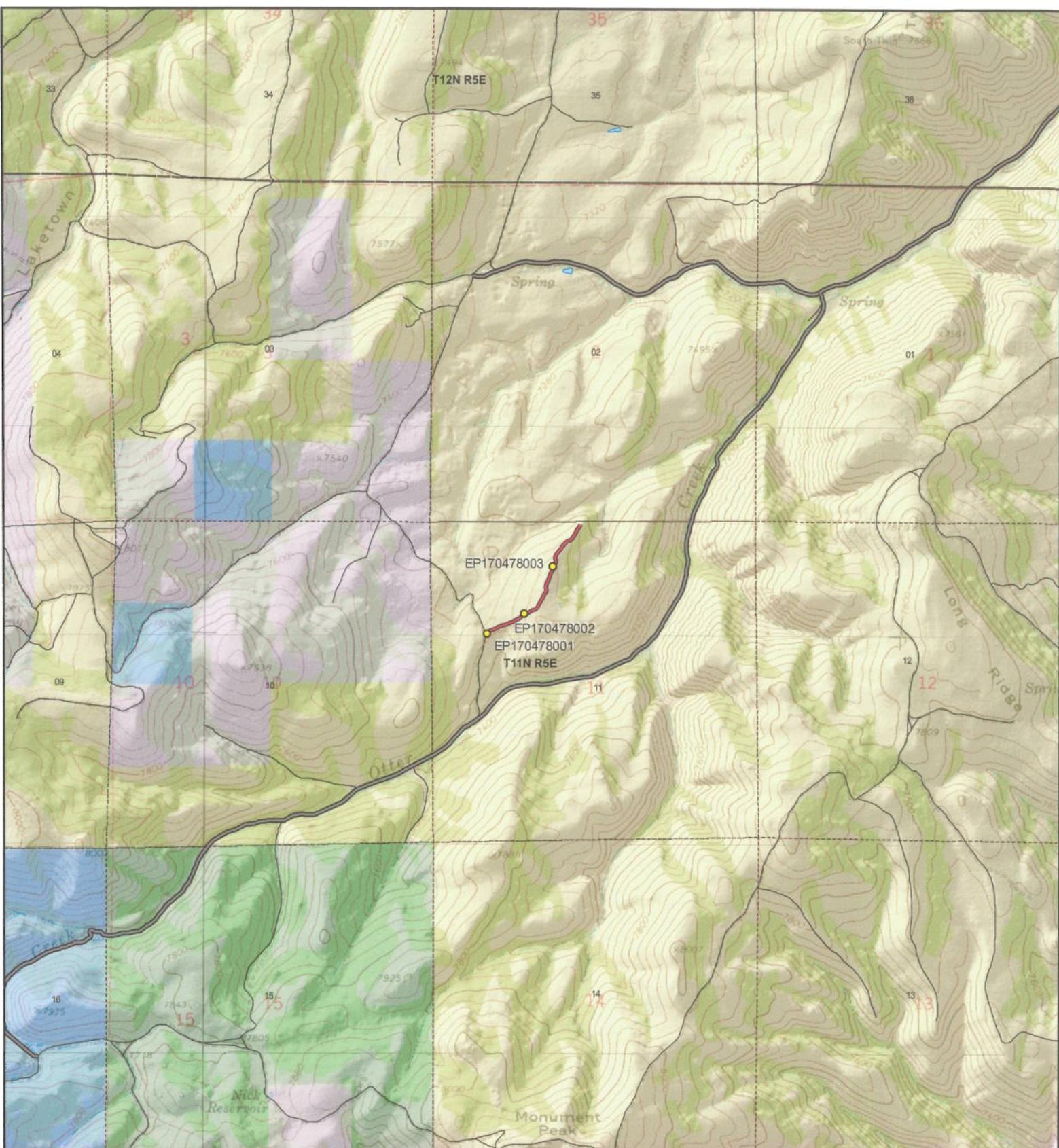
DATED this 28 day of October, 2008.

William S. Rex  
WILLIAM S. REX

SUBSCRIBED AND SWORN to before me this 28<sup>th</sup> day of October, 2008.



Gloria Gardner  
NOTARY PUBLIC



Scale  
1:25,578  
1 in = 0 miles

**AR38E - Rich County**  
**SGID RD\_ID RD170478 CO\_UNIQUE AR38E**

- | Land Ownership Categories |                            | Misc | Transportation Network                                  |
|---------------------------|----------------------------|------|---|
|                           | BLM                        |      | AR38E   |
|                           | Private                    |      | 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 16, 2008



**AFFIDAVIT OF HOWARD J. LAMBORN**  
**RICH COUNTY, UTAH**  
**RICH COUNTY D ROAD NO. AR38E**

State of Utah     )  
                          : ss.  
County of Rich    )

I, HOWARD J. LAMBORN, 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 June 16, 1923 in Laketown, Utah. I have lived in Rich County for 80 years. I have been a cattle rancher for the past 55 years. I was also employed by the Rich County School District for 34 years.

2. I have traveled and am familiar with Rich County Road No. AR 38E 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 38E (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 1950s through 1976 and continuing until 2003, (“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 2003, it appeared to follow the same route as in the early 1950s 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.

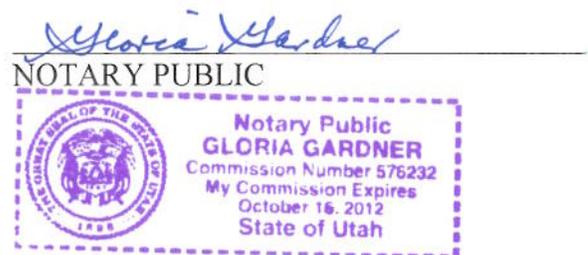
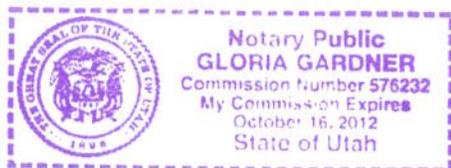
7. During the Time Period of My Experience I have personally traveled the Road by various means, including horseback, and I have observed others from the general public traveling it by the same means.

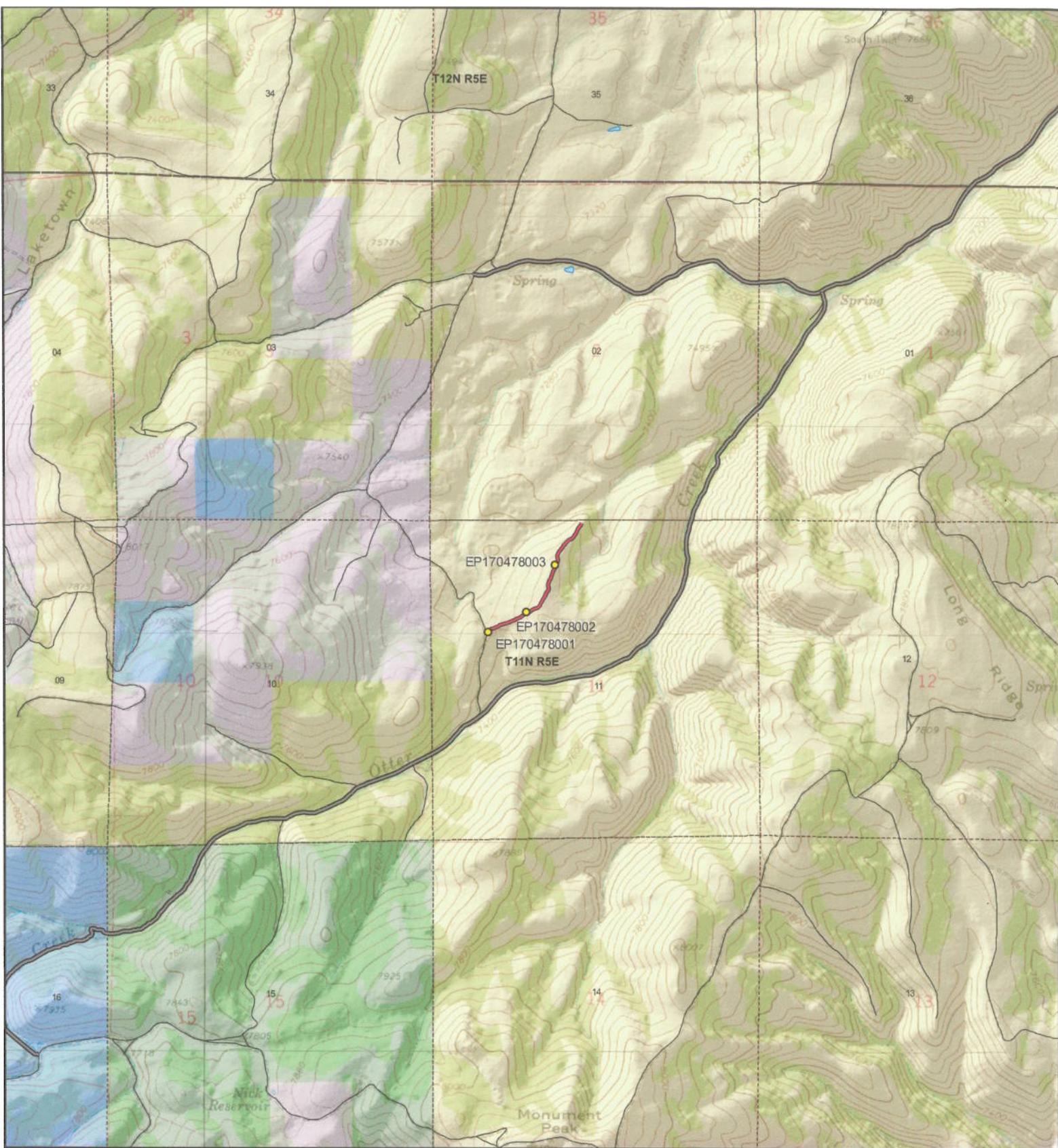
8. During the Time Period of My Experience I have personally used the Road for livestock operations, traveling in and through the area and sight seeing and I have observed others from the general public using the Road for the same purposes and others including recreation and hunting.

DATED this 27 day of October, 2008.

  
\_\_\_\_\_  
HOWARD J. LAMBORN

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





**Scale**  
1:25,578  
1 in = 0 miles

**AR38E - Rich County**  
**SGID RD\_ID RD170478 CO\_UNIQUE AR38E**

Land Ownership Categories	Misc	Transportation Network
BLM	Photo Event Point	AR38E
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 16, 2008

## Appendix A to Attachment 4

**Popular Name: AR38E**

**County: Rich**

**County Road Number: AR38E**

**State Geographic Information Database (SGID) Road Identification Number: RD170478.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.49 miles more or less.**

**Believed owner of the land underlying this road-segment is: Bureau of Land Management.**

*The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).*

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 11 North Range 5 East, Section(s) 11, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR38E)-- 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 42 minutes 29.61 seconds North Latitude and -111 degrees 21 minutes 32.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,678,933.0 feet and Y = 3,781,801.9 feet; thence the following courses along the said road center line:

thence North 38 Degrees 02 Minutes 08 Seconds East	10 feet
thence North 55 Degrees 58 Minutes 41 Seconds East	13 feet
thence North 52 Degrees 13 Minutes 03 Seconds East	19.4 feet
thence North 53 Degrees 10 Minutes 00 Seconds East	20.4 feet
thence North 52 Degrees 59 Minutes 37 Seconds East	19.2 feet
thence North 54 Degrees 00 Minutes 46 Seconds East	18.6 feet
thence North 60 Degrees 15 Minutes 39 Seconds East	20.7 feet
thence North 67 Degrees 52 Minutes 00 Seconds East	21.2 feet
thence North 68 Degrees 10 Minutes 00 Seconds East	23.3 feet
thence North 68 Degrees 22 Minutes 54 Seconds East	27.1 feet
thence North 66 Degrees 23 Minutes 21 Seconds East	30.7 feet
thence North 63 Degrees 22 Minutes 24 Seconds East	31.1 feet

thence North 62 Degrees 06 Minutes 55 Seconds East 34.1 feet  
 thence North 69 Degrees 41 Minutes 06 Seconds East 34.6 feet  
 thence North 77 Degrees 04 Minutes 49 Seconds East 34.6 feet  
 thence North 76 Degrees 19 Minutes 44 Seconds East 32.7 feet  
 thence North 68 Degrees 05 Minutes 48 Seconds East 30.4 feet  
 thence North 64 Degrees 24 Minutes 18 Seconds East 32.3 feet  
 thence North 65 Degrees 04 Minutes 06 Seconds East 30 feet  
 thence North 63 Degrees 55 Minutes 03 Seconds East 31 feet  
 thence North 64 Degrees 39 Minutes 04 Seconds East 32.6 feet  
 thence North 67 Degrees 58 Minutes 23 Seconds East 32.9 feet  
 thence North 63 Degrees 39 Minutes 05 Seconds East 30.7 feet  
 thence North 53 Degrees 38 Minutes 26 Seconds East 31.2 feet  
 thence North 50 Degrees 04 Minutes 19 Seconds East 34.5 feet  
 thence North 55 Degrees 58 Minutes 41 Seconds East 36.7 feet  
 thence North 60 Degrees 20 Minutes 10 Seconds East 39.5 feet  
 thence North 61 Degrees 11 Minutes 38 Seconds East 44.1 feet  
 thence North 60 Degrees 27 Minutes 38 Seconds East 47.8 feet  
 thence North 63 Degrees 16 Minutes 42 Seconds East 48 feet  
 thence North 65 Degrees 50 Minutes 19 Seconds East 43.1 feet  
 thence North 62 Degrees 09 Minutes 22 Seconds East 35.5 feet  
 thence North 36 Degrees 55 Minutes 24 Seconds East 29.3 feet  
 thence North 24 Degrees 12 Minutes 21 Seconds East 33.2 feet  
 thence North 23 Degrees 19 Minutes 52 Seconds East 31.9 feet  
 thence North 27 Degrees 49 Minutes 27 Seconds East 26.4 feet  
 thence North 36 Degrees 03 Minutes 09 Seconds East 23.2 feet  
 thence North 25 Degrees 41 Minutes 29 Seconds East 62.1 feet  
 thence North 12 Degrees 44 Minutes 15 Seconds East 18.9 feet  
 thence North 26 Degrees 53 Minutes 48 Seconds East 38 feet  
 thence North 36 Degrees 13 Minutes 40 Seconds East 36.4 feet  
 thence North 22 Degrees 52 Minutes 00 Seconds East 30 feet  
 thence North 05 Degrees 57 Minutes 44 Seconds West 23.4 feet  
 thence North 15 Degrees 21 Minutes 00 Seconds West 27.9 feet  
 thence North 01 Degrees 39 Minutes 57 Seconds East 28.2 feet  
 thence North 23 Degrees 48 Minutes 49 Seconds East 31.3 feet  
 thence North 23 Degrees 41 Minutes 18 Seconds East 33.1 feet  
 thence North 24 Degrees 28 Minutes 56 Seconds East 33.6 feet  
 thence North 21 Degrees 02 Minutes 19 Seconds East 32.4 feet  
 thence North 20 Degrees 09 Minutes 38 Seconds East 34.7 feet  
 thence North 21 Degrees 15 Minutes 48 Seconds East 33.9 feet  
 thence North 20 Degrees 48 Minutes 51 Seconds East 37.3 feet  
 thence North 19 Degrees 29 Minutes 07 Seconds East 38.7 feet  
 thence North 18 Degrees 25 Minutes 04 Seconds East 37.8 feet  
 thence North 16 Degrees 07 Minutes 00 Seconds East 35.9 feet  
 thence North 23 Degrees 00 Minutes 43 Seconds East 34 feet  
 thence North 31 Degrees 48 Minutes 19 Seconds East 30.2 feet  
 thence North 02 Degrees 50 Minutes 52 Seconds East 41.4 feet  
 thence North 17 Degrees 29 Minutes 37 Seconds West 23.4 feet  
 thence North 02 Degrees 14 Minutes 29 Seconds East 29.2 feet  
 thence North 24 Degrees 38 Minutes 31 Seconds East 26.4 feet

thence North 29 Degrees 46 Minutes 54 Seconds East 19 feet  
 thence North 29 Degrees 24 Minutes 47 Seconds East 26.5 feet  
 thence North 31 Degrees 36 Minutes 46 Seconds East 32.9 feet  
 thence North 34 Degrees 50 Minutes 04 Seconds East 35.3 feet  
 thence North 36 Degrees 03 Minutes 09 Seconds East 31 feet  
 thence North 38 Degrees 26 Minutes 01 Seconds East 27.8 feet  
 thence North 37 Degrees 44 Minutes 27 Seconds East 25 feet  
 thence North 39 Degrees 33 Minutes 57 Seconds East 26.1 feet  
 thence North 41 Degrees 18 Minutes 06 Seconds East 23.7 feet  
 thence North 45 Degrees 17 Minutes 52 Seconds East 21.1 feet  
 thence North 51 Degrees 47 Minutes 35 Seconds East 22.5 feet  
 thence North 61 Degrees 35 Minutes 44 Seconds East 27.9 feet  
 thence North 57 Degrees 00 Minutes 26 Seconds East 30.4 feet  
 thence North 48 Degrees 16 Minutes 10 Seconds East 33.3 feet  
 thence North 36 Degrees 08 Minutes 14 Seconds East 37.5 feet  
 thence North 29 Degrees 53 Minutes 24 Seconds East 39.1 feet  
 thence North 29 Degrees 10 Minutes 46 Seconds East 40 feet  
 thence North 27 Degrees 32 Minutes 24 Seconds East 38.6 feet  
 thence North 29 Degrees 45 Minutes 44 Seconds East 33.4 feet  
 thence North 32 Degrees 50 Minutes 48 Seconds East 30.6 feet  
 thence North 33 Degrees 21 Minutes 29 Seconds East 29.6 feet  
 thence North 30 Degrees 02 Minutes 50 Seconds East 22.1 feet more or less to **the ending**

**point at:** 41 degrees 42 minutes 047.6 seconds North Latitude and -111 degrees 21 minutes 11.72 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,680,482.8 feet and Y = 3,783,624.9 feet.