

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

Recorded NOV 10 2008 Filing No. 75881
At 3:15 ~~AM~~/PM in Book RD Page 1183
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 AR40A; County Road Number: AR40A; State Geographic Information Database (SGID) Road Identification Number: RD170481. Total road length is 0.17 miles more or less.

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

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

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

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

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

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

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

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

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

By the Governor's Designee



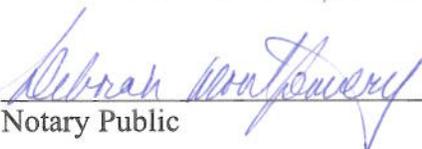
John Harja

CERTIFICATION

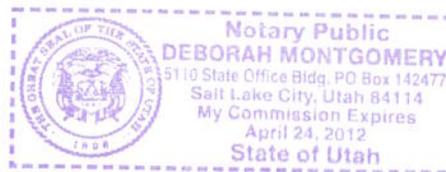
State of Utah)
 : ss
County of Salt Lake)

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

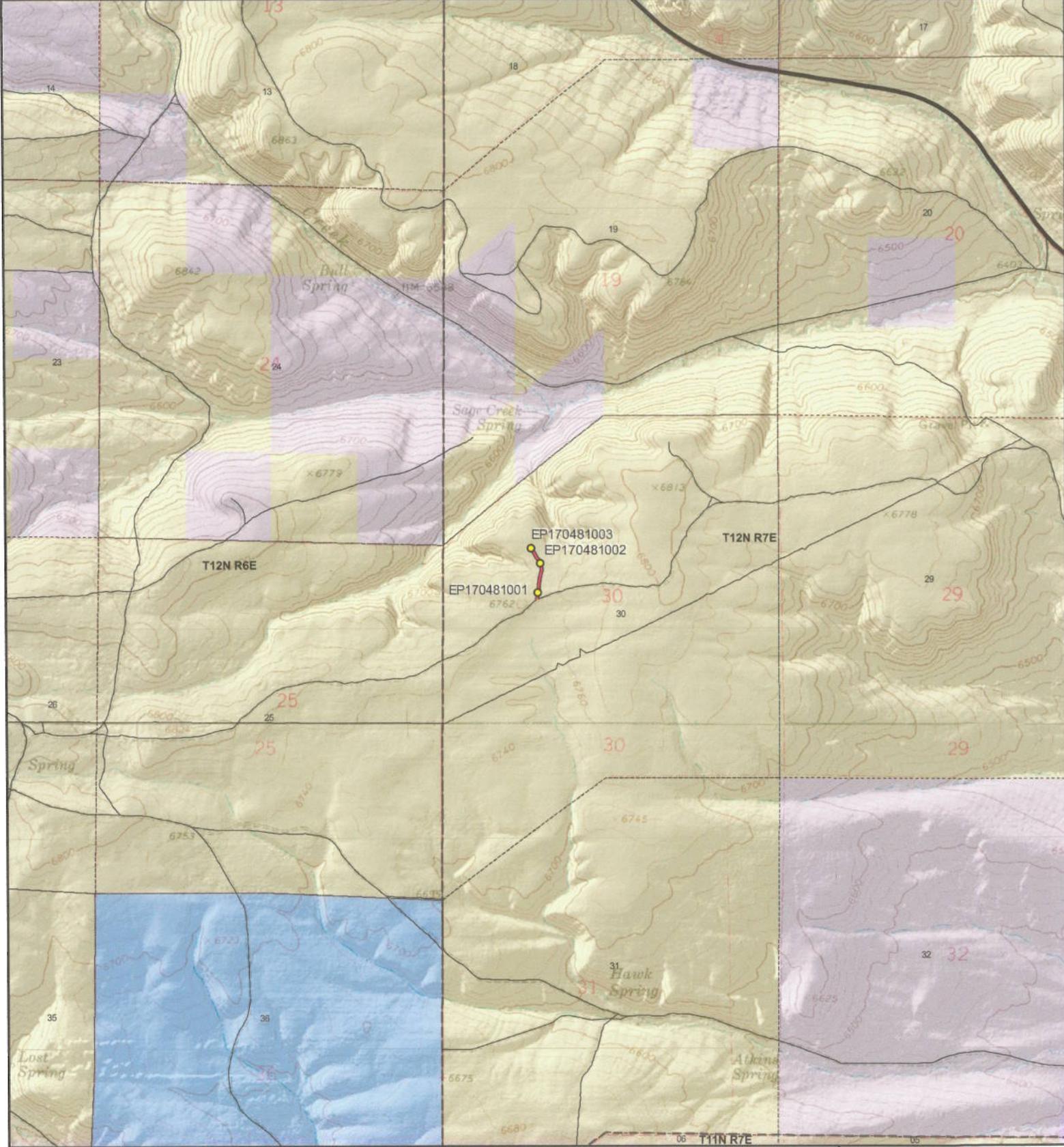
Dated this 10th day of November, 2008.



Notary Public



1184



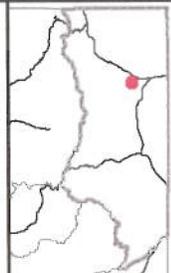
AR40A - Rich County
SGID RD_ID RD170481 CO_UNIQUE AR40A

- | | | |
|---|---|---|
| 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"> — AR40A — 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 16, 2008



Scale
1:23,521
1 in = 0 miles





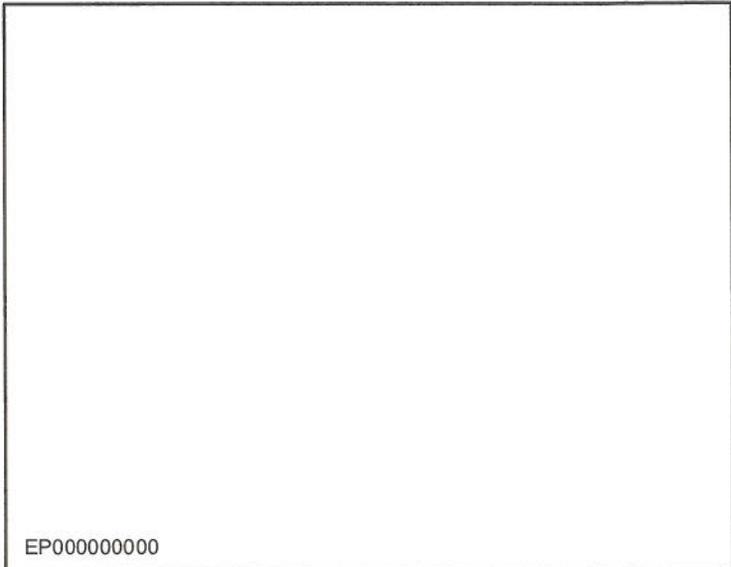
EP170481001



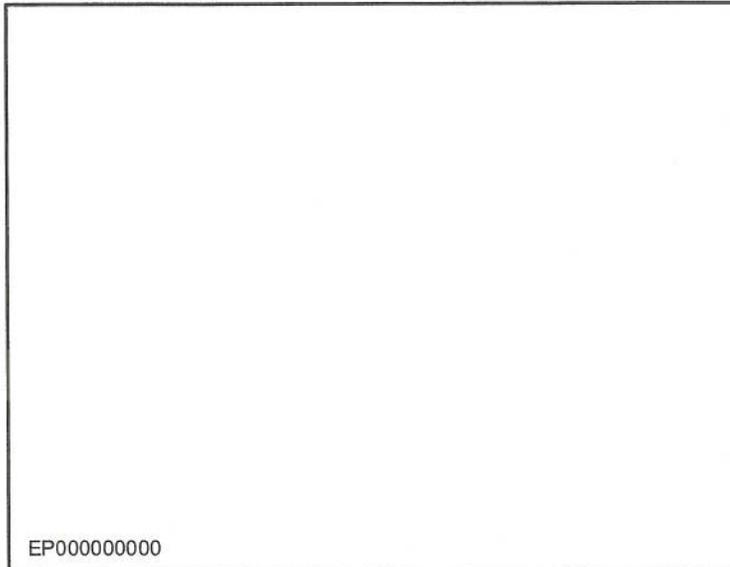
EP170481002



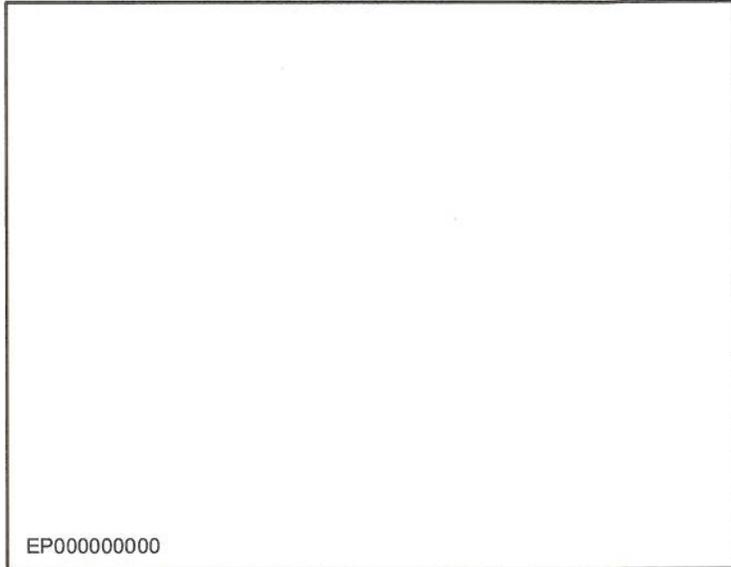
EP170481003



EP000000000



EP000000000



EP000000000

**AR40A - Rich County
SGID RD_ID RD170481**

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



1186



Attachment 3

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

Popular Name: AR40A

County: Rich

County Road Number: AR40A

State Geographic Information Database (SGID) Road Identification Number: RD170481.

Total Road Length: 0.17 miles more or less.

Beginning at a point on the road centerline located at 41 degrees 45 minutes 18.18 seconds North Latitude and -111 degrees 12 minutes 06.73 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,721,764.3 feet and Y = 3,798,972.4 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 45 minutes 26.28 seconds North Latitude and -111 degrees 12 minutes 07.95 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,721,668.6 feet and Y = 3,799,791.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 12 North Range 7 East, Section(s) 30, Salt Lake Base & Meridian
See Attachment 1 above for a cartographic depiction of the course of this road.

1187

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

Popular Name: AR40A

County: Rich

County Road Number: AR40A

State Geographic Information Database (SGID) Road Identification Number: RD170481.

Total Road Length: 0.17 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
RD170481	001	BLM	0.17 Miles	A
		Total Road Length	0.17	_____

* 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.

1188

Attachment 5

AFFIDAVIT OF WILLIAM S. REX
RICH COUNTY, UTAH
RICH COUNTY D ROAD NO. AR40A

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 40A 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 40A (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 2004, (“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 2004, it appeared to follow the same route as in the 1940s when I first traveled and observed it.

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

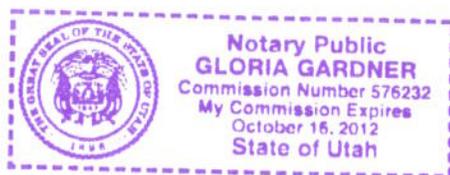
7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and horseback, and I have observed others from the general public traveling it by the same means and jeeps.

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

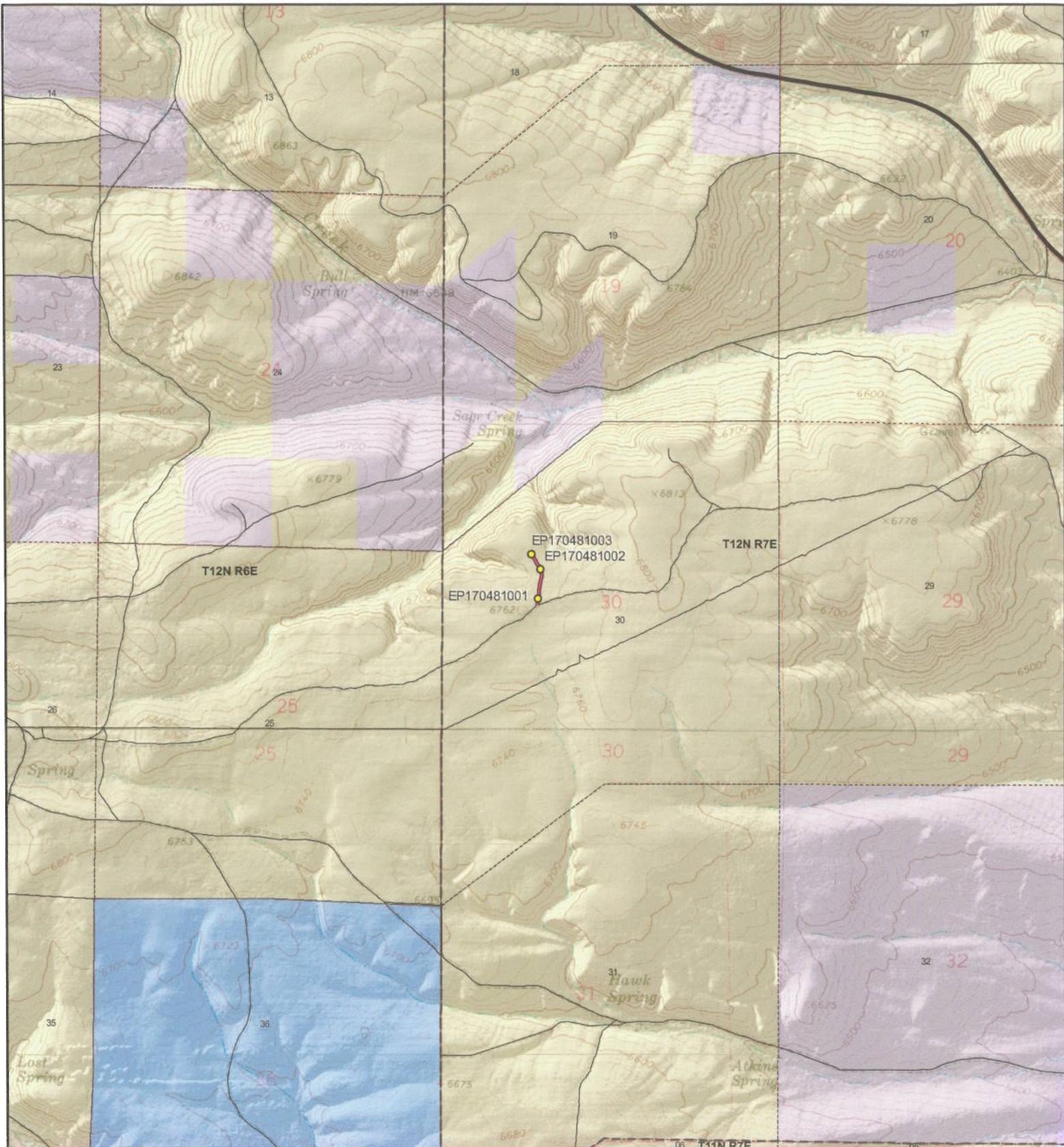
DATED this 28 day of October, 2008.


WILLIAM S. REX

SUBSCRIBED AND SWORN to before me this 28th day of October, 2008.




NOTARY PUBLIC



AR40A - Rich County

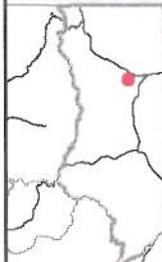
SGID RD_ID RD170481 CO_UNIQUE AR40A

- | | | |
|---|---|--|
| 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"> — AR40A — 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 16, 2008



Scale
1:23,521
1 in = 0 miles



AFFIDAVIT OF RICHARD W. HOFFMAN
RICH COUNTY, UTAH
RICH COUNTY D ROAD NO. AR40A

State of Utah)
 : ss.
County of Rich)

I, RICHARD W. HOFFMAN, 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 13, 1942, in Evanston, Wyoming. I have lived in Rich County for 35 years and have been involved in ranching in Rich County all of my life.

2. I have traveled and am familiar with Rich County Road No. AR40A 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. AR40A (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 late 1940s through 1976 and continuing until 2008, (“the Time Period of My Experience”). It is the reputation in the community that the Road was traveled as early as the early 1900s, prior to my earliest recollection.

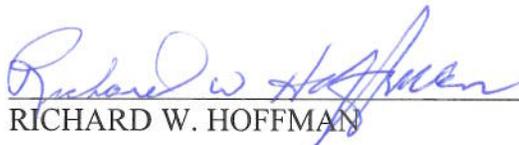
5. When I last traveled and observed the Road in 2008, it appeared to follow the same route as in the late 1940s, when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled daily, weather permitting.

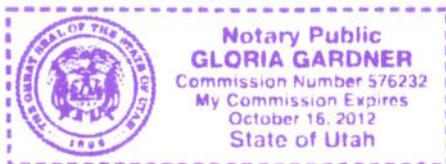
7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and ATV, and I have observed others from the general public traveling it by the same means.

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

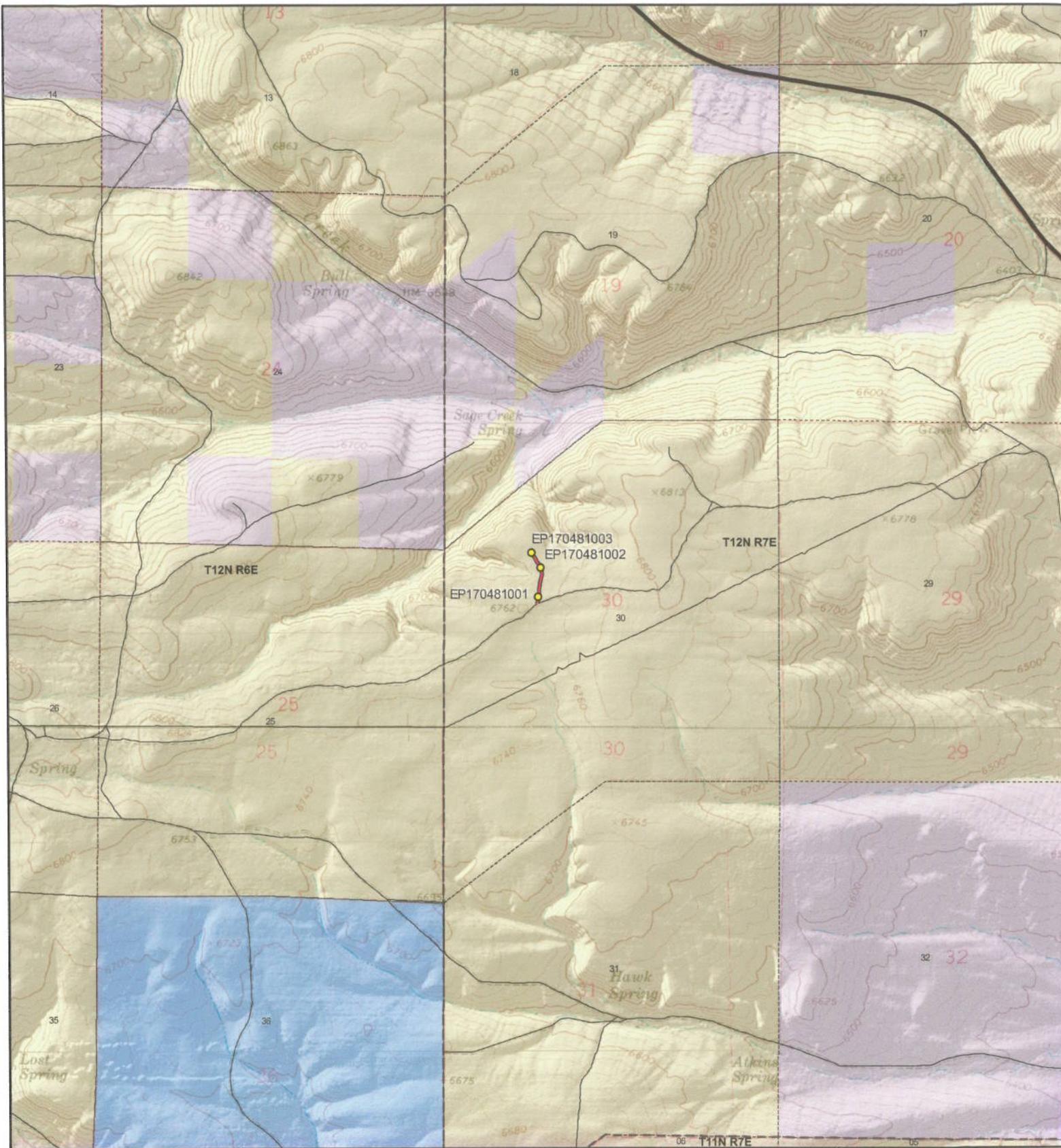
DATED this 20 day of October, 2008.


RICHARD W. HOFFMAN

SUBSCRIBED AND SWORN to before me this 20th day of October, 2008.




NOTARY PUBLIC



AR40A - Rich County

SGID RD_ID RD170481 CO_UNIQUE AR40A

Land Ownership Categories

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

Misc

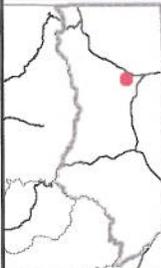
- Photo Event Point
- Section = 1 Mile

Transportation Network

- AR40A
- Title V: Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads



Scale
1:23,521
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



Appendix A to Attachment 4

Popular Name: AR40A

County: Rich

County Road Number: AR40A

State Geographic Information Database (SGID) Road Identification Number: RD170481.

Road-Segment Number: 001

Road-Segment Length: 0.17 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 12 North Range 7 East, Section(s) 30, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR40A)-- 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 45 minutes 18.18 seconds North Latitude and -111 degrees 12 minutes 06.73 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,721,764.3 feet and Y = 3,798,972.4 feet; thence the following courses along the said road center line:

thence North 43 Degrees 23 Minutes 45 Seconds East	10.4 feet
thence North 06 Degrees 59 Minutes 43 Seconds East	23.2 feet
thence North 08 Degrees 54 Minutes 54 Seconds East	28.6 feet
thence North 15 Degrees 52 Minutes 40 Seconds East	29.4 feet
thence North 11 Degrees 57 Minutes 26 Seconds East	33.9 feet
thence North 00 Degrees 42 Minutes 04 Seconds East	36.4 feet
thence North 02 Degrees 28 Minutes 18 Seconds West	35.1 feet
thence North 01 Degrees 57 Minutes 34 Seconds East	32.8 feet
thence North 11 Degrees 23 Minutes 38 Seconds East	35.5 feet
thence North 13 Degrees 34 Minutes 36 Seconds East	35.5 feet
thence North 13 Degrees 28 Minutes 35 Seconds East	39.9 feet
thence North 13 Degrees 42 Minutes 18 Seconds East	39.2 feet

thence North 12 Degrees 05 Minutes 11 Seconds East 36.6 feet
thence North 04 Degrees 38 Minutes 19 Seconds East 37.9 feet
thence North 05 Degrees 40 Minutes 12 Seconds West 35.3 feet
thence North 07 Degrees 19 Minutes 22 Seconds West 35.1 feet
thence North 21 Degrees 47 Minutes 55 Seconds West 31.4 feet
thence North 25 Degrees 56 Minutes 47 Seconds West 26.6 feet
thence North 31 Degrees 51 Minutes 56 Seconds West 16.9 feet
thence North 35 Degrees 12 Minutes 22 Seconds West 13.2 feet
thence North 35 Degrees 41 Minutes 36 Seconds West 12.5 feet
thence North 23 Degrees 57 Minutes 37 Seconds West 5.7 feet
thence North 35 Degrees 01 Minutes 34 Seconds West 10.4 feet
thence North 34 Degrees 01 Minutes 15 Seconds West 16.6 feet
thence North 30 Degrees 11 Minutes 24 Seconds West 20.4 feet
thence North 27 Degrees 16 Minutes 59 Seconds West 21.7 feet
thence North 24 Degrees 42 Minutes 26 Seconds West 23.1 feet
thence North 31 Degrees 34 Minutes 12 Seconds West 23.4 feet
thence North 40 Degrees 08 Minutes 11 Seconds West 23.1 feet
thence North 41 Degrees 53 Minutes 50 Seconds West 23.2 feet
thence North 29 Degrees 46 Minutes 35 Seconds West 23.4 feet
thence North 18 Degrees 45 Minutes 57 Seconds West 22.8 feet
thence North 10 Degrees 43 Minutes 11 Seconds West 20 feet

thence North 07 Degrees 55 Minutes 32 Seconds West 14.9 feet more or less to **the ending point at:** 41 degrees 45 minutes 26.28 seconds North Latitude and -111 degrees 12 minutes 07.95 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,721,668.6 feet and Y = 3,799,791.7 feet.