

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

Recorded NOV 12 2008 Filing No. 76013
At 4:00 ~~PM~~ in Book 510 Page 149
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 AR97C; County Road Number: AR97C; State Geographic Information Database (SGID) Road Identification Number: RD170589. Total road length is 0.75 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 7th day of NOVEMBER, 2008.

By the Governor's Designee



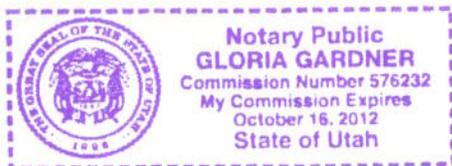
John Harja

CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

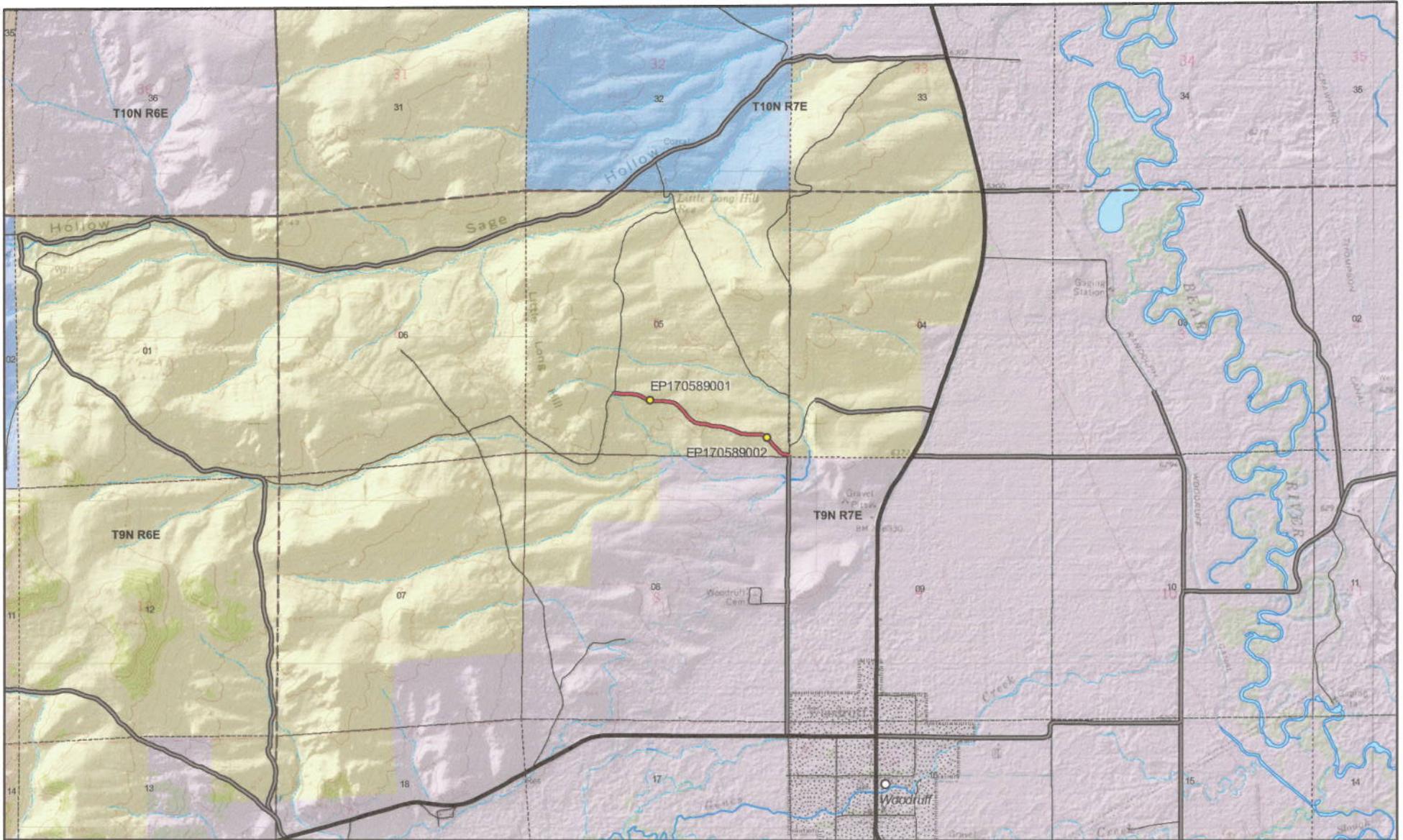
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 7th day of November, 2008.





Notary Public



AR97C - Rich County

SGID RD_ID RD170589 CO_UNIQUE AR97C

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

- AR97C
- Title V. Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads



Scale
1:32,447
1 in = 16 miles



0151

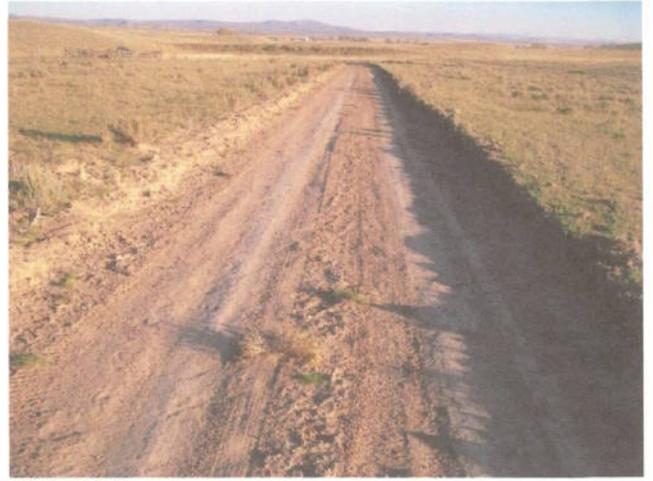
Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Oct 20, 2008



Attachment 2



EP170589001



EP170589002

EP000000000

EP000000000

EP000000000

EP000000000



AR97C - Rich County
SGID RD_ID RD170589

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: AR97C

County: Rich

County Road Number: AR97C

State Geographic Information Database (SGID) Road Identification Number: RD170589.

Total Road Length: 0.75 miles more or less.

Beginning at a point on the road centerline located at 41 degrees 32 minutes 35.77 seconds North Latitude and -111 degrees 10 minutes 057.2 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,727,315.9 feet and Y = 3,721,822.5 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 32 minutes 23.39 seconds North Latitude and -111 degrees 10 minutes 09.99 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,730,910.4 feet and Y = 3,720,582.3 feet based on the US Survey Foot conversion.

This road may traverse:

Township 9 North Range 7 East, Section(s) 5, 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: AR97C

County: Rich

County Road Number: AR97C

State Geographic Information Database (SGID) Road Identification Number: RD170589.

Total Road Length: 0.75 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
RD170589	001	BLM	0.75 Miles	A
		Total Road Length	0.75	_____

* 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 KENT J. STUART
RICH COUNTY, UTAH
RICH COUNTY D ROAD NO. AR97C

State of Utah)
 : ss.
County of Rich)

I, KENT J. STUART, 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 May 29, 1951, in Logan, Utah, have lived in Rich County, Utah, almost all of my life and have been involved in livestock operations all of my life. I am a third generation rancher.

2. I have traveled and am familiar with Rich County Road No. AR97C 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. AR97C (the "Road") are the same road:

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

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

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

4. I have personally traveled the Road from the early 1960s through 1976 and continuing until the 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.

5. When I last traveled and observed the Road in 2008, 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 was traveled weekly, weather permitting.

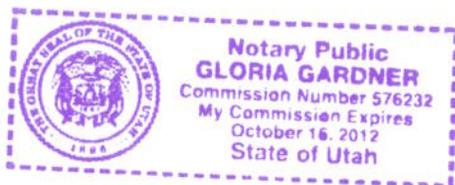
7. During the Time Period of My Experience I personally traveled the Road on horseback, pickup truck and I have observed others from the general public traveling it by the same means, plus ATVs.

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

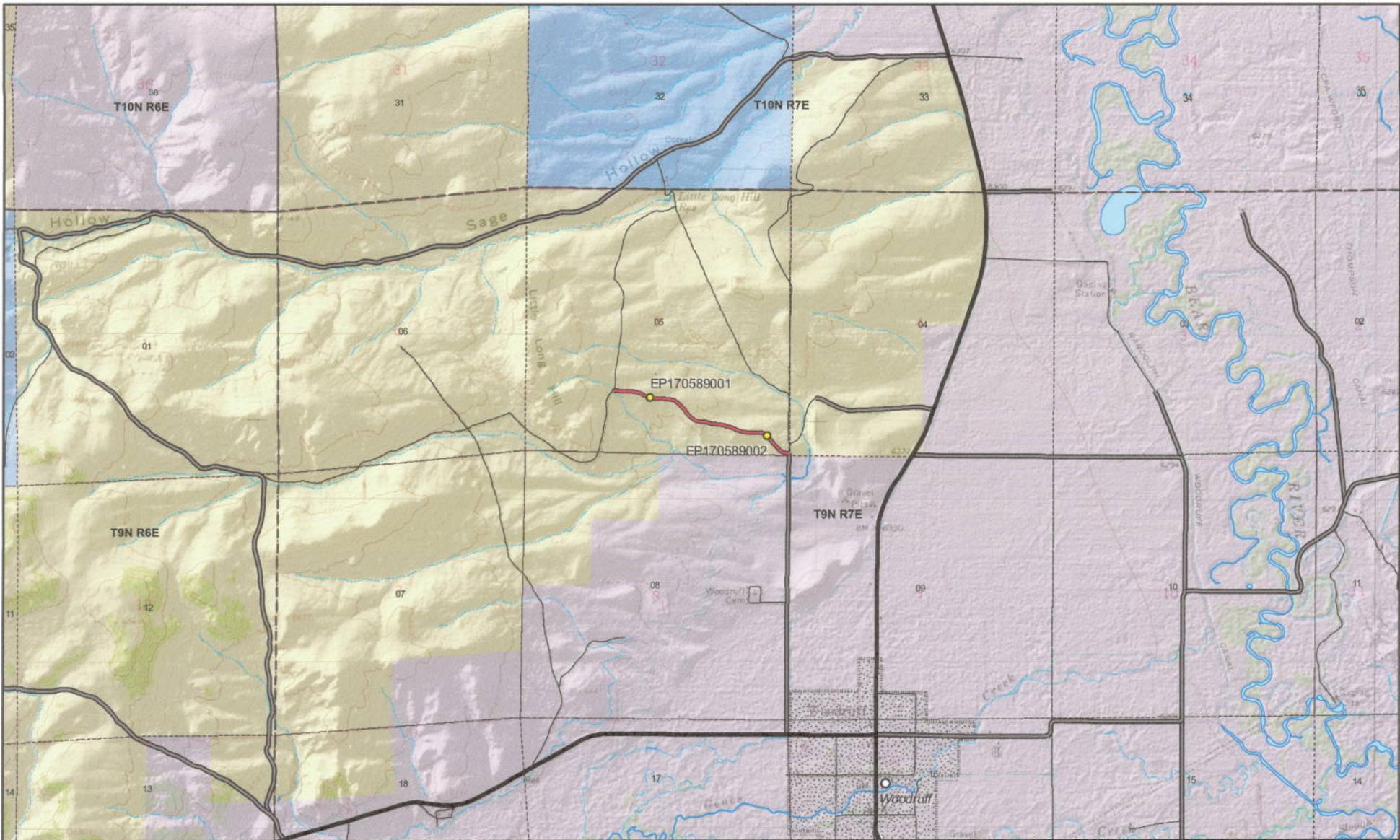
DATED this 22 day of October, 2008.


KENT J. STUART

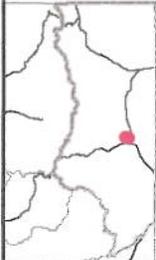
SUBSCRIBED AND SWORN to before me this 22nd day of October, 2008.




NOTARY PUBLIC



Scale
1:32,447
1 in = 16 miles



AR97C - Rich County
SGID RD_ID RD170589 CO_UNIQUE AR97C

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

- AR97C
- Title V: Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads

0158

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 LOUIS M. STUART
RICH COUNTY, UTAH
RICH COUNTY D ROAD NO. AR97C

State of Utah)
 : ss.
County of Rich)

I, LOUIS M. STUART, 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 12, 1912, in Woodruff, Rich County, Utah, have lived in Rich County, Utah, all of my life and have been involved in livestock operations all of my life. I am a second generation rancher.

2. I have traveled and am familiar with Rich County Road No. AR97C and the land it traverses. The Road goes into Dean Hollow.

3. I took the following steps to verify that the road I refer to in this affidavit and Rich County Road No. AR97C (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 1920s through 1976 and continuing until the 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 early 1920s, when I first traveled and observed it.

6. During the Time Period of My Experience the Road was traveled weekly, weather permitting.

7. During the Time Period of My Experience I personally traveled the Road on horseback, team and wagon, pickup truck and 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 livestock operations, including access to a water trough, and I have observed others from the general public using the Road for the same purposes.

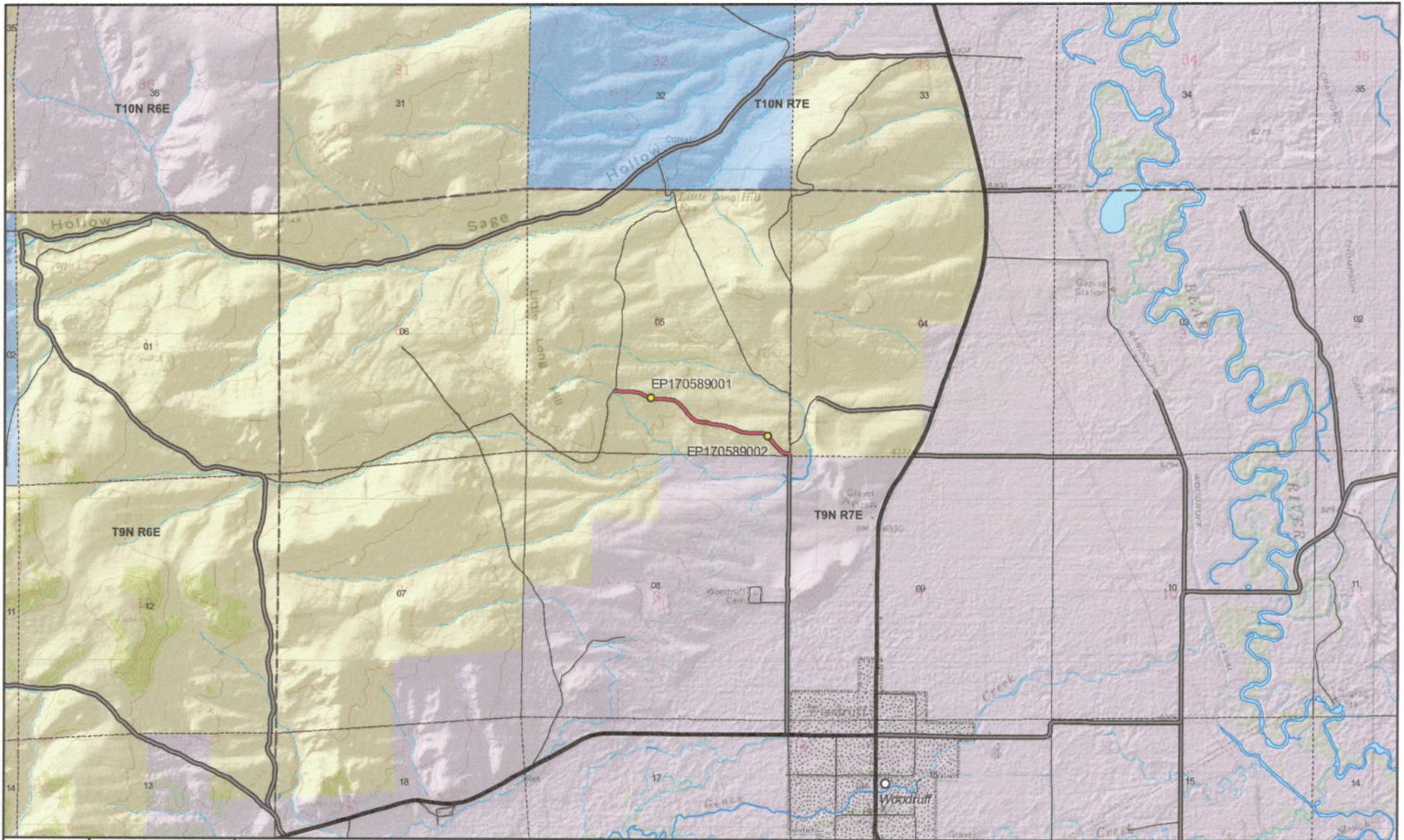
DATED this 22 day of October, 2008.

Louis M. Stuart
LOUIS M. STUART

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



Gloria Gardner
NOTARY PUBLIC



AR97C - Rich County

SGID RD_ID RD170589 CO_UNIQUE AR97C

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

- AR97C
- Title V: Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads

0161



Scale
1:32,447
1 in = 16 miles



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



Appendix A to Attachment 4

Popular Name: AR97C

County: Rich

County Road Number: AR97C

State Geographic Information Database (SGID) Road Identification Number: RD170589.

Road-Segment Number: 001

Road-Segment Length: 0.75 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 7 East, Section(s) 5, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR97C)-- 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 35.77 seconds North Latitude and -111 degrees 10 minutes 057.2 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,727,315.9 feet and Y = 3,721,822.5 feet; thence the following courses along the said road center line:

thence North 72 Degrees 28 Minutes 15 Seconds East 14.4 feet
thence North 86 Degrees 10 Minutes 49 Seconds East 27 feet
thence South 88 Degrees 52 Minutes 48 Seconds East 25.9 feet
thence South 85 Degrees 55 Minutes 54 Seconds East 30 feet
thence South 81 Degrees 40 Minutes 40 Seconds East 30.5 feet
thence South 81 Degrees 10 Minutes 04 Seconds East 30.9 feet
thence South 84 Degrees 10 Minutes 30 Seconds East 33.7 feet
thence South 86 Degrees 37 Minutes 19 Seconds East 35.5 feet
thence North 89 Degrees 40 Minutes 10 Seconds East 34.5 feet
thence North 87 Degrees 29 Minutes 16 Seconds East 34.5 feet
thence North 88 Degrees 30 Minutes 44 Seconds East 32.5 feet
thence North 89 Degrees 05 Minutes 27 Seconds East 32.5 feet

thence South 88 Degrees 35 Minutes 40 Seconds East 32.5 feet
 thence South 86 Degrees 53 Minutes 48 Seconds East 32.9 feet
 thence South 80 Degrees 57 Minutes 29 Seconds East 34.3 feet
 thence South 76 Degrees 08 Minutes 45 Seconds East 30.8 feet
 thence South 71 Degrees 28 Minutes 37 Seconds East 28.4 feet
 thence South 67 Degrees 26 Minutes 23 Seconds East 32.1 feet
 thence South 62 Degrees 38 Minutes 31 Seconds East 37.4 feet
 thence South 60 Degrees 17 Minutes 02 Seconds East 38.7 feet
 thence South 61 Degrees 01 Minutes 41 Seconds East 36.9 feet
 thence South 64 Degrees 14 Minutes 05 Seconds East 35.8 feet
 thence South 70 Degrees 51 Minutes 36 Seconds East 34.5 feet
 thence South 76 Degrees 59 Minutes 28 Seconds East 32.7 feet
 thence South 80 Degrees 25 Minutes 03 Seconds East 34.3 feet
 thence South 83 Degrees 23 Minutes 21 Seconds East 38 feet
 thence South 86 Degrees 14 Minutes 41 Seconds East 36.9 feet
 thence South 88 Degrees 13 Minutes 43 Seconds East 35.8 feet
 thence South 88 Degrees 18 Minutes 10 Seconds East 37.1 feet
 thence South 86 Degrees 23 Minutes 06 Seconds East 38.2 feet
 thence South 88 Degrees 50 Minutes 56 Seconds East 38.1 feet
 thence South 86 Degrees 56 Minutes 07 Seconds East 38.8 feet
 thence South 83 Degrees 59 Minutes 24 Seconds East 38.6 feet
 thence South 84 Degrees 22 Minutes 23 Seconds East 37.9 feet
 thence South 82 Degrees 48 Minutes 23 Seconds East 35.1 feet
 thence South 81 Degrees 08 Minutes 59 Seconds East 32.9 feet
 thence South 75 Degrees 46 Minutes 36 Seconds East 35.3 feet
 thence South 69 Degrees 21 Minutes 52 Seconds East 37.6 feet
 thence South 60 Degrees 23 Minutes 04 Seconds East 34.8 feet
 thence South 55 Degrees 20 Minutes 18 Seconds East 36.1 feet
 thence South 50 Degrees 03 Minutes 49 Seconds East 36.6 feet
 thence South 47 Degrees 07 Minutes 53 Seconds East 36.9 feet
 thence South 45 Degrees 40 Minutes 54 Seconds East 37.8 feet
 thence South 42 Degrees 34 Minutes 16 Seconds East 38.6 feet
 thence South 38 Degrees 38 Minutes 20 Seconds East 41.8 feet
 thence South 37 Degrees 01 Minutes 59 Seconds East 45 feet
 thence South 35 Degrees 46 Minutes 33 Seconds East 47.5 feet
 thence South 39 Degrees 55 Minutes 49 Seconds East 46.9 feet
 thence South 44 Degrees 25 Minutes 15 Seconds East 43.9 feet
 thence South 48 Degrees 22 Minutes 43 Seconds East 39.3 feet
 thence South 52 Degrees 27 Minutes 19 Seconds East 33.7 feet
 thence South 56 Degrees 17 Minutes 53 Seconds East 30.5 feet
 thence South 60 Degrees 35 Minutes 07 Seconds East 34.4 feet
 thence South 70 Degrees 25 Minutes 35 Seconds East 40.5 feet
 thence South 78 Degrees 34 Minutes 49 Seconds East 41.9 feet
 thence South 87 Degrees 22 Minutes 09 Seconds East 38.1 feet
 thence South 88 Degrees 10 Minutes 09 Seconds East 34.8 feet
 thence South 86 Degrees 55 Minutes 50 Seconds East 33.2 feet
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 thence South 46 Degrees 08 Minutes 14 Seconds East 33 feet
 thence South 43 Degrees 24 Minutes 30 Seconds East 34.6 feet
 thence South 42 Degrees 16 Minutes 38 Seconds East 34.9 feet
 thence South 42 Degrees 42 Minutes 38 Seconds East 35.5 feet
 thence South 40 Degrees 59 Minutes 13 Seconds East 36.8 feet
 thence South 42 Degrees 05 Minutes 26 Seconds East 37 feet
 thence South 43 Degrees 53 Minutes 53 Seconds East 37.1 feet
 thence South 44 Degrees 38 Minutes 53 Seconds East 39 feet
 thence South 43 Degrees 14 Minutes 06 Seconds East 38.1 feet
 thence South 42 Degrees 21 Minutes 23 Seconds East 35.8 feet
 thence South 42 Degrees 58 Minutes 37 Seconds East 33.9 feet
 thence South 44 Degrees 55 Minutes 05 Seconds East 32.3 feet
 thence South 49 Degrees 47 Minutes 50 Seconds East 29.8 feet
 thence South 61 Degrees 16 Minutes 32 Seconds East 27 feet
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thence South 86 Degrees 02 Minutes 28 Seconds East 13.2 feet
thence South 81 Degrees 02 Minutes 13 Seconds East 18.3 feet
thence South 80 Degrees 46 Minutes 12 Seconds East 31.6 feet more or less to **the ending**
point at: 41 degrees 32 minutes 23.39 seconds North Latitude and -111 degrees 10 minutes 09.99 seconds
West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet
coordinates of X = 1,730,910.4 feet and Y = 3,720,582.3 feet.