

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

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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Tooele County as it pertains to the highway located in Tooele County known as Leppy Pass Road; County Road Number: tc02009; State Geographic Information Database (SGID) Road Identification Number: RD230024. Total road length is 3.17 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 20th day of June, 2008.

By the Governor's Designee



John Harja

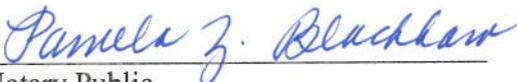
CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

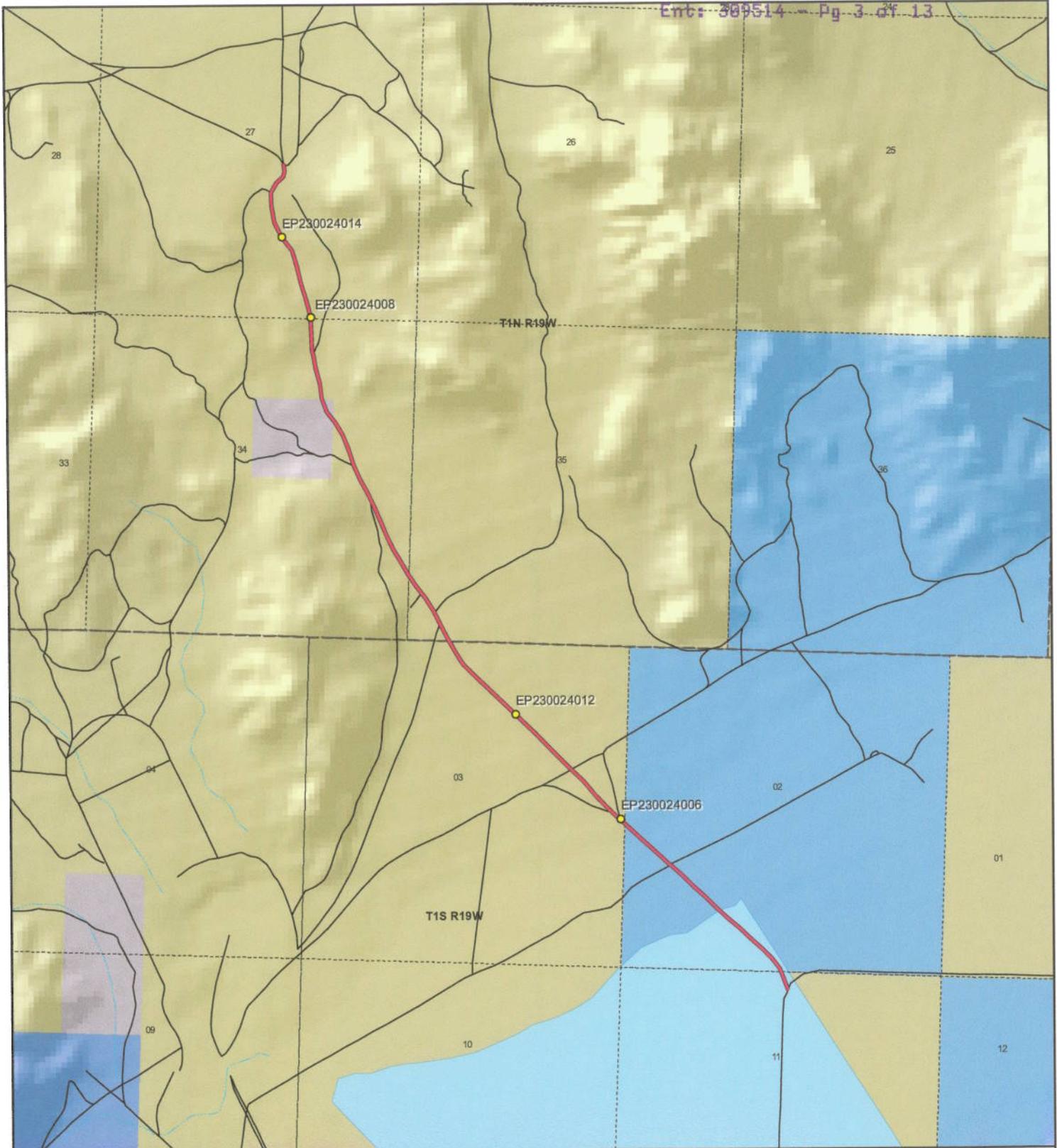
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 20th day of June, 2008.





Notary Public



Leppy Pass Road - Tooele County
SGID RD_ID RD230024

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Tribal, Indian Reservation
- NPS, National Park
- ◆ Wilderness
- ◆ UDWR Wildlife Reserve
- ◆ DOD, Military
- ◆ State Sovereign Land
- ◆ National Recreation Area
- ◆ USFWS, Natl. Wildlife Refuge

Transportation Network

- Leppy Pass Road
- Title V: Issued Or Under Consideration By BLM Or County
- Other Roads
- Photo Event Point
- Section = 1 Mile

Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Jun 17, 2008



1:25,834

1 inch equals 0.4 miles





EP230024006



EP230024008



EP230024012



EP230024014

EP000000000

EP000000000

Leppy Pass Road - Tooele County
SGID RD_ID RD230024

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
June 18, 2008



Attachment 3

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

Popular Name: Leppy Pass Road

County: Tooele

County Road Number: tc02009

State Geographic Information Database (SGID) Road Identification Number: RD230024.

Total Road Length: 3.17 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 45 minutes 41.41 seconds North Latitude and -113 degrees 58 minutes 11.89 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 956,237.0 feet and Y = 7,455,580.8 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 47 minutes 053.8 seconds North Latitude and -114 degrees 00 minutes 05.13 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 947,900.7 feet and Y = 7,469,216.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 1 North Range 19 West, Section(s) 27,34,35, Salt Lake Base & Meridian

Township 1 South Range 19 West, Section(s) 2,3,11, 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: Leppy Pass Road

County: Tooele

County Road Number: tc02009

State Geographic Information Database (SGID) Road Identification Number: RD230024.

Total Road Length: 3.17 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
RD230024	001	BLM	0.06 Miles	A
RD230024	002	ST	0.68 Miles	(not shown)
RD230024	003	BLM	1.58 Miles	B
RD230024	004	PVT	0.07 Miles	(not shown)
RD230024	005	BLM	0.78 Miles	C
		Total Road Length	3.17	—————

* 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.

Attachment 5

AFFIDAVIT OF GLENN D. WADSWORTH

LEPPY PASS ROAD

COUNTY ROAD NUMBER 02009

TOOELE COUNTY, UTAH

State of Utah)
 : ss.
County of Tooele)

GLENN D. WADSWORTH, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I have lived in Tooele County for 62 years. I am currently the Wendover City Administrator. I was employed by the Utah Department of Transportation from 1959 to 1961 doing summer work.

2. I have traveled and am familiar with a road in Tooele County known as Leppy Pass Road. I am also familiar with the land the road traverses. When I first used and observed the road in the mid 1950s it followed the same route as in 2007 when I last observed it. Attached is a Tooele County map showing Leppy Pass Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. The County also identifies this road according to the road number listed above.

3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the mid 1950s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including cars, pickups, ATVs, trucks and jeeps. Throughout this time

period, the road has been used daily, for more than ten continuous years prior to 1976, and was so used in 2007.

4. Throughout the time period from the mid 1950s to 2007, I have used the road myself for recreation, hunting, christmas tree gathering, spring access, rock hounding, prospecting for minerals, pine nut gathering, camping and travel in and through the area.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus livestock operations and mining.

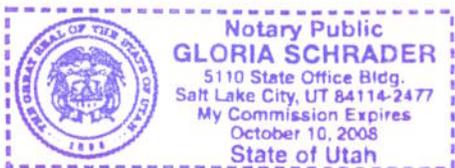
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s to the present, for the uses described in the previous paragraphs.

7. Prior to 1976, I observed graders performing maintenance activities on the road. The road is currently paved.

Dated this 29th day of August, 2007.

Glenn D. Wadsworth
GLENN D. WADSWORTH

SUBSCRIBED AND SWORN to before me this 29th day of August, 2007.



Gloria Schrader
NOTARY PUBLIC

AFFIDAVIT OF LAMAR F. MELVILLE

LEPPY PASS ROAD

TOOELE COUNTY, UTAH

ROAD NUMBER 02009

State of Utah)
 : ss.
County of Tooele)

LAMAR F. MELVILLE, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Wendover, Tooele County, Utah. I have lived in Wendover Since 1958. I worked as a Utah Highway Patrolman for 25 years. I have been a Tooele County and Wendover City Judge for the past 20 years.

2. I have traveled and am familiar with a road in Tooele County known as Leppy Pass Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1950s it followed the same route as in 2007. Attached is a Tooele County map showing Leppy Pass Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. The County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1950s and continuing through 2007. Throughout this time period I observed travel on the road by means of cars, pickup trucks, semi trucks and trailers and ATVs. During this time period, the road was used daily, for more than ten continuous years prior to 1976 and was so used in 2007.

5. Throughout the time period from the early 1970s to 2007, I have used the road myself for law enforcement and recreation.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus city water access, livestock operations, mining, oil and gas exploration, sightseeing and recreation.

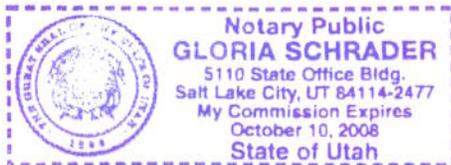
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed graders and other equipment performing maintenance and construction activities on the road. The road was paved two years ago.

DATED this 29 day of August, 2007.


LAMAR F. MELVILLE

SUBSCRIBED AND SWORN to before me this 29th day of August, 2007.

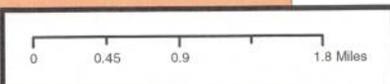
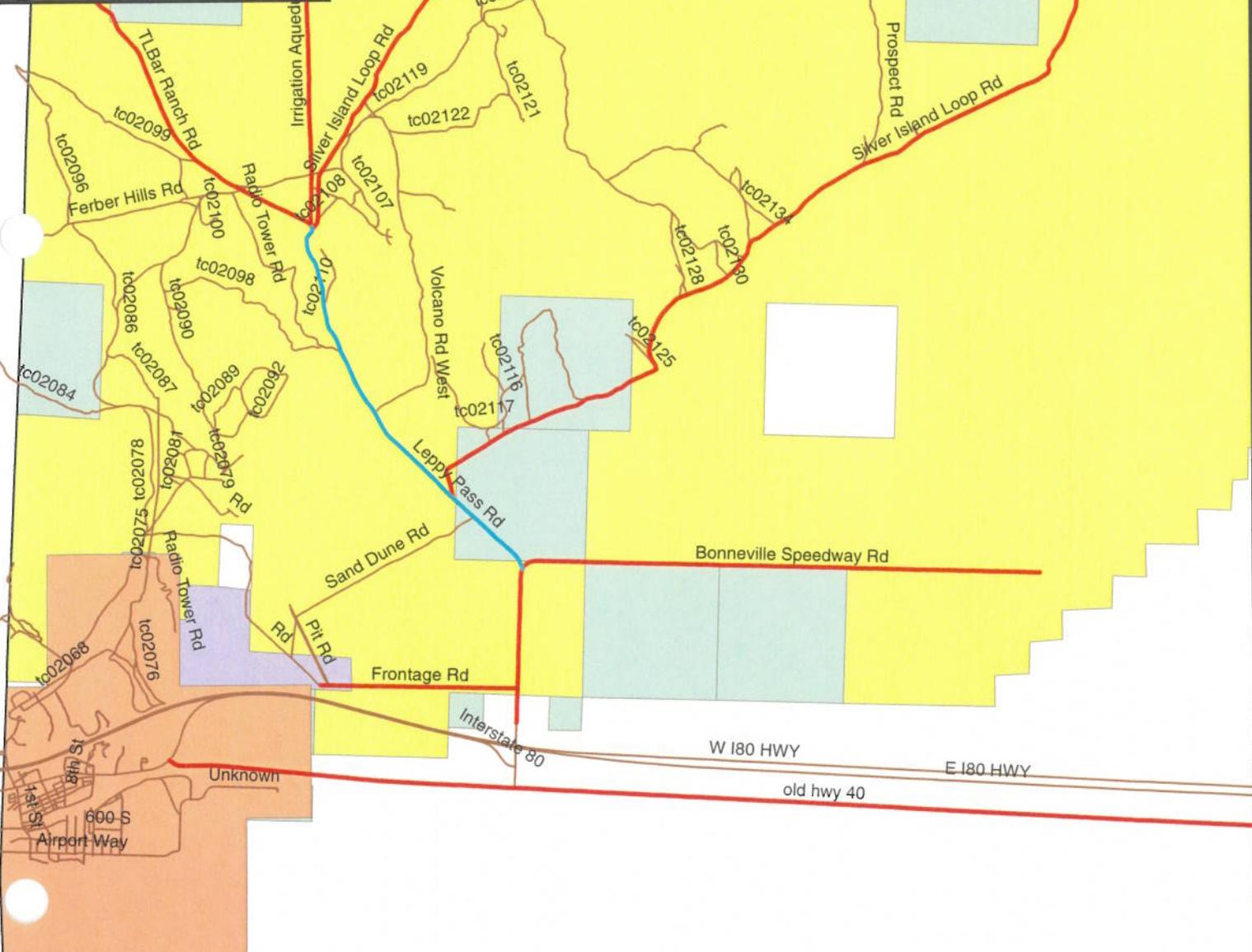



NOTARY PUBLIC

Leppy Pass Road

Legend

- Need Road Photos
- Roads
- Cities
- Lakes
- Military
- BANKHEAD JONES
- BLM
- FOREST SERVICE
- MILITARY
- PRIVATE
- STATE PARK REC. AREA
- STATE SOVEREIGN
- STATE TRUST
- STATE WILDLIFE RESERVES
- TRIBAL
- USFS & BLM WILDERNESS AREA
- USFWS NATIONAL WILDLIFE REFUGE
- WATER
- WATER_INTERMITTENT
- County Boundary



Appendix A to Attachment 4

Popular Name: Leppy Pass Road

County: Tooele

County Road Number: tc02009

State Geographic Information Database (SGID) Road Identification Number: RD230024.

Road-Segment Number: 001

Road-Segment Length: 0.06 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 1 South Range 19 West, Section(s) 11, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Leppy Pass Road)-- 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 40 degrees 45 minutes 41.41 seconds North Latitude and -113 degrees 58 minutes 11.89 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 956,237.0 feet and Y = 7,455,580.8 feet; thence the following courses along the said road center line:

thence North 25 Degrees 00 Minutes 16 Seconds West 61.3 feet

thence North 19 Degrees 28 Minutes 39 Seconds West 130.2 feet

thence North 23 Degrees 15 Minutes 35 Seconds West 123 feet more or less to **the ending**

point at: 40 degrees 45 minutes 44.26 seconds North Latitude and -113 degrees 58 minutes 13.53 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 956,119.1 feet and Y = 7,455,872.2 feet.

Appendix B to Attachment 4

Popular Name: Leppy Pass Road

County: Tooele

County Road Number: tc02009

State Geographic Information Database (SGID) Road Identification Number: RD230024.

Road-Segment Number: 003

Road-Segment Length: 1.58 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 1 North Range 19 West, Section(s) 34,35, Salt Lake Base & Meridian

Township 1 South Range 19 West, Section(s) 3, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Leppy Pass Road)-- 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 40 degrees 46 minutes 07.75 seconds North Latitude and -113 degrees 58 minutes 047.9 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 953,541.0 feet and Y = 7,458,321.9 feet; thence the following courses along the said road center line:

thence North 47 Degrees 55 Minutes 33 Seconds West 119.6 feet
thence North 47 Degrees 35 Minutes 05 Seconds West 214.9 feet
thence North 43 Degrees 44 Minutes 00 Seconds West 327.1 feet
thence North 40 Degrees 48 Minutes 54 Seconds West 310.3 feet
thence North 46 Degrees 02 Minutes 55 Seconds West 288.7 feet
thence North 45 Degrees 58 Minutes 03 Seconds West 283.6 feet
thence North 45 Degrees 38 Minutes 28 Seconds West 282 feet
thence North 46 Degrees 00 Minutes 30 Seconds West 286.2 feet
thence North 45 Degrees 43 Minutes 43 Seconds West 287.1 feet
thence North 46 Degrees 46 Minutes 02 Seconds West 283 feet
thence North 46 Degrees 26 Minutes 41 Seconds West 281.4 feet

thence North 46 Degrees 16 Minutes 55 Seconds West 273.5 feet
thence North 47 Degrees 18 Minutes 09 Seconds West 266.6 feet
thence North 44 Degrees 40 Minutes 47 Seconds West 254.4 feet
thence North 32 Degrees 49 Minutes 47 Seconds West 235.2 feet
thence North 29 Degrees 43 Minutes 13 Seconds West 213.4 feet
thence North 29 Degrees 44 Minutes 53 Seconds West 38.7 feet
thence North 29 Degrees 03 Minutes 13 Seconds West 248.6 feet
thence North 25 Degrees 13 Minutes 58 Seconds West 238.6 feet
thence North 26 Degrees 55 Minutes 26 Seconds West 22 feet
thence North 31 Degrees 23 Minutes 04 Seconds West 260.3 feet
thence North 38 Degrees 19 Minutes 29 Seconds West 253.8 feet
thence North 33 Degrees 28 Minutes 37 Seconds West 210.5 feet
thence North 33 Degrees 30 Minutes 58 Seconds West 28.4 feet
thence North 30 Degrees 04 Minutes 57 Seconds West 220.9 feet
thence North 30 Degrees 43 Minutes 18 Seconds West 241.4 feet
thence North 25 Degrees 54 Minutes 49 Seconds West 274.5 feet
thence North 22 Degrees 05 Minutes 43 Seconds West 268.3 feet
thence North 22 Degrees 50 Minutes 35 Seconds West 255.6 feet
thence North 25 Degrees 09 Minutes 59 Seconds West 243.9 feet
thence North 29 Degrees 10 Minutes 11 Seconds West 239.6 feet
thence North 25 Degrees 22 Minutes 33 Seconds West 260.6 feet
thence North 17 Degrees 36 Minutes 42 Seconds West 276.5 feet
thence North 21 Degrees 21 Minutes 18 Seconds West 260 feet
thence North 31 Degrees 07 Minutes 24 Seconds West 242.4 feet
thence North 38 Degrees 46 Minutes 46 Seconds West 65 feet more or less to **the ending point**

at: 40 degrees 47 minutes 12.37 seconds North Latitude and -113 degrees 59 minutes 53 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 948,716.9 feet and Y = 7,464,999.2 feet.

Appendix C to Attachment 4

Popular Name: Leppy Pass Road

County: Tooele

County Road Number: tc02009

State Geographic Information Database (SGID) Road Identification Number: RD230024.

Road-Segment Number: 005

Road-Segment Length: 0.78 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 1 North Range 19 West, Section(s) 27,34, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Leppy Pass Road)-- Segment 005 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 40 degrees 47 minutes 15.71 seconds North Latitude and -113 degrees 59 minutes 55.48 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 948,535.2 feet and Y = 7,465,342.1 feet; thence the following courses along the said road center line:

thence North 20 Degrees 18 Minutes 24 Seconds West 9 feet
thence North 06 Degrees 58 Minutes 05 Seconds West 239.4 feet
thence North 16 Degrees 12 Minutes 50 Seconds West 255.7 feet
thence North 10 Degrees 11 Minutes 53 Seconds West 238 feet
thence North 11 Degrees 57 Minutes 32 Seconds West 63.6 feet
thence North 02 Degrees 55 Minutes 58 Seconds West 292.2 feet
thence North 01 Degrees 55 Minutes 42 Seconds West 238.4 feet
thence North 01 Degrees 55 Minutes 26 Seconds West 37.2 feet
thence North 14 Degrees 34 Minutes 47 Seconds West 272.4 feet
thence North 17 Degrees 57 Minutes 23 Seconds West 290.7 feet
thence North 12 Degrees 56 Minutes 56 Seconds West 302.4 feet
thence North 16 Degrees 51 Minutes 23 Seconds West 266.8 feet

thence North 38 Degrees 14 Minutes 27 Seconds West 263.9 feet
thence North 26 Degrees 03 Minutes 38 Seconds West 282.1 feet
thence North 11 Degrees 48 Minutes 17 Seconds West 272.7 feet
thence North 03 Degrees 15 Minutes 48 Seconds West 226.6 feet
thence North 32 Degrees 14 Minutes 33 Seconds East 186.9 feet
thence North 46 Degrees 08 Minutes 20 Seconds East 159.6 feet
thence North 15 Degrees 19 Minutes 39 Seconds East 80.1 feet
thence North 07 Degrees 41 Minutes 10 Seconds West 92.6 feet
thence North 22 Degrees 35 Minutes 21 Seconds West 40.7 feet more or less to **the ending**

point at: 40 degrees 47 minutes 053.8 seconds North Latitude and -114 degrees 00 minutes 05.13 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 947,900.7 feet and Y = 7,469,216.7 feet.