

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 De Gamma Road; County Road Number: tc02251; State Geographic Information Database (SGID) Road Identification Number: RD230047. Total road length is 1.96 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



1:20,997
1 inch equals 0.3 miles



De Gamma Road - Tooele County
SGID RD_ID RD230047

| | | | |
|----------------------------------|------------------------------|-------------------------------|---|
| Land Ownership Categories | | Transportation Network | |
| BLM | Wilderness | De Gamma Road | Title V: Issued Or Under Consideration By BLM Or County |
| Private | UDWR Wildlife Reserve | Other Roads | Photo Event Point |
| SITLA, State Trust Land | DOD, Military | Section = 1 Mile | |
| USFS, National Forest | State Sovereign Land | | |
| State Parks and Recreation | National Recreation Area | | |
| Tribal, Indian Reservation | USFWS, Natl. Wildlife Refuge | | |
| NPS, National Park | | | |

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



EP230047001



EP230047002



EP230047004



EP230047005

EP000000000

EP000000000

De Gamma Road - Tooele County
SGID RD_ID RD230047

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: De Gamma Road

County: Tooele

County Road Number: tc02251

State Geographic Information Database (SGID) Road Identification Number: RD230047.

Total Road Length: 1.96 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 47 minutes 57.64 seconds North Latitude and -112 degrees 58 minutes 31.45 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,231,925.4 feet and Y = 7,463,290.4 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 49 minutes 38.13 seconds North Latitude and -112 degrees 58 minutes 22.61 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,232,772.9 feet and Y = 7,473,447.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 1 North Range 10 West, Section(s) 9,16,21, 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: De Gamma Road

County: Tooele

County Road Number: tc02251

State Geographic Information Database (SGID) Road Identification Number: RD230047.

Total Road Length: 1.96 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 |
|--|---------------------------------|--|---|----------------------------------|
| RD230047 | 001 | BLM | 0.85 Miles | A |
| RD230047 | 002 | ST | 1.02 Miles | (not shown) |
| RD230047 | 003 | BLM | 0.09 Miles | B |
| | | Total Road Length | 1.96 | _____ |

* 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 JAMES S. MCKENDRICK

DE GAMMA ROAD

TOOELE COUNTY, UTAH

ROAD NUMBER tc02251

State of Utah)
 : ss.
County of Tooele)

JAMES S. MCKENDRICK, 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 Tooele, Tooele County, Utah. I have lived in Tooele County for most of the past 76 years. I was employed by the Tooele County Road Department from 1963 to 1993.

2. I have traveled and am familiar with a road in Tooele County known as De Gamma Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s it followed the same route as in the early 1990s when I last observed it. Attached is a Tooele County map showing De Gamma 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 early 1960s and continuing through the early 1990s. Throughout this time period I observed travel on the road by means of livestock trucks and pickup trucks. During this time period, the road was used weekly, for more than ten continuous years prior to 1976 and was so used in the early 1990s.

5. Throughout the time period from the early 1960s to the early 1990s, I have used the road myself for county road maintenance and travel through the area.

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 livestock operations, government access and hunting.

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 1960s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I graded and performed maintenance and construction activities on the road.

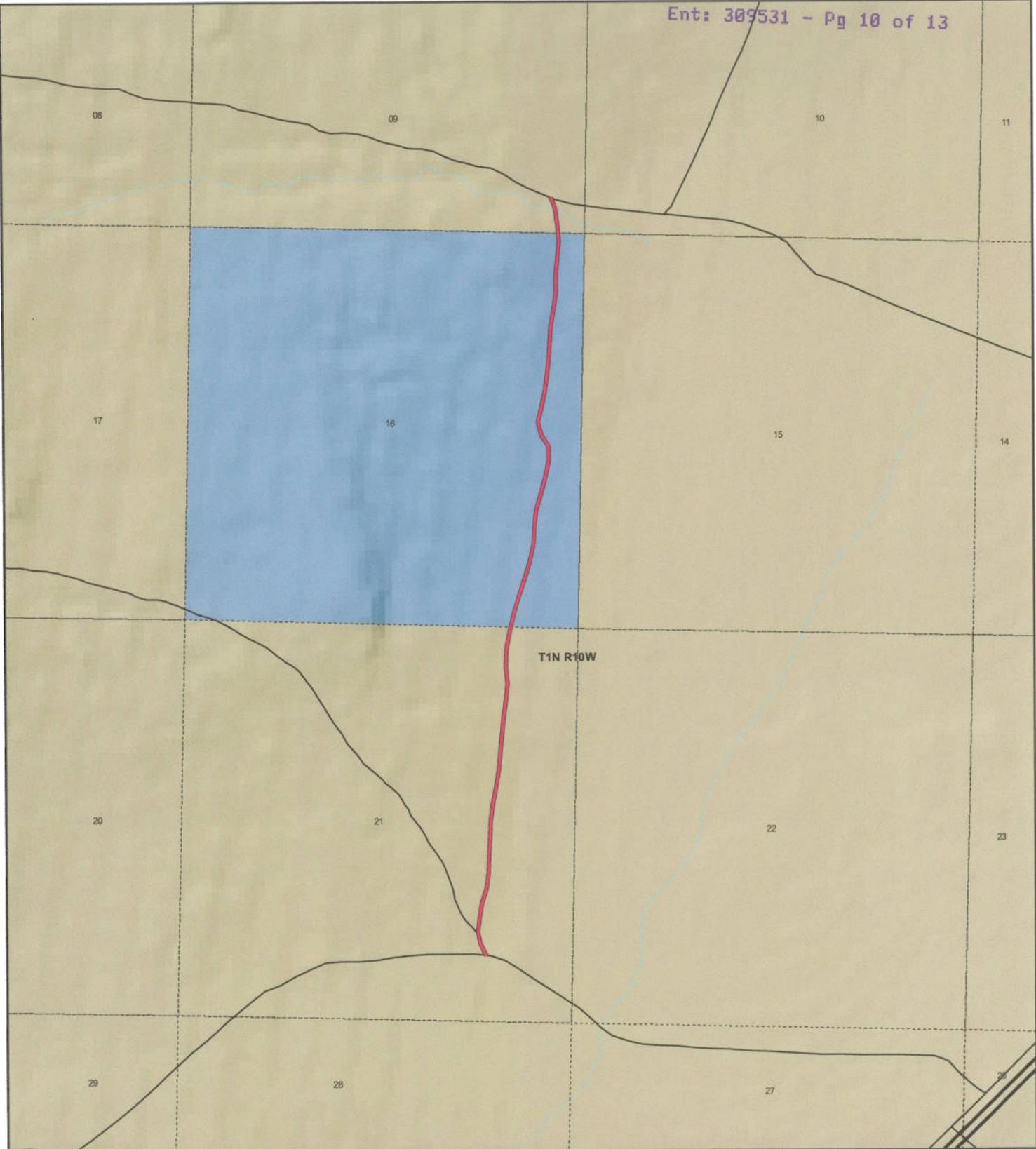
DATED this 6 day of June, 2008.


JAMES S. MCKENDRICK

SUBSCRIBED AND SWORN to before me this 6 day of June, 2008.


NOTARY PUBLIC





T1N R10W

**Tooele County
De Gamma Road
County Unique - tc02251**

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- Military
- Tribal
- Wilderness
- State Park

Transportation Network

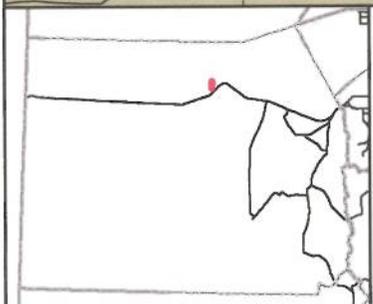
- De Gamma Road
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile



1:20,672
1 inch equals 0.3 miles



Map prepared by the State of Utah
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
Apr 21, 2008



AFFIDAVIT OF GERALD E. BERTAGNOLE

DE GAMMA ROAD

COUNTY ROAD NUMBER tc02251

TOOELE COUNTY, UTAH

State of Utah)
 : ss.
County of Tooele)

GERALD E. BERTAGNOLE, 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. My family has owned property in Tooele County since 1933. I have had grazing allotments in various parts of Tooele County since 1936 and continuing to the present.

2. I have traveled and am familiar with a road in Tooele County known as De Gamma 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 approximately 1993 when I last observed it. Attached is a Tooele County map showing De Gamma 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 approximately 1993. Throughout this time period I have observed travel

on the road by various means, including cars, pickups, livestock trucks, ATVs and jeeps. Throughout this time period, the road has been used weekly for more than ten continuous years prior to 1976, and was so used in approximately 1993.

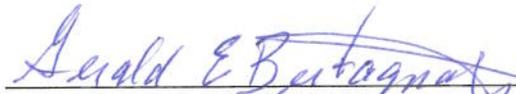
4. Throughout the time period from the mid 1950s to approximately 1993, I have used the road myself for livestock operations and travel in and through the area.

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 hunting.

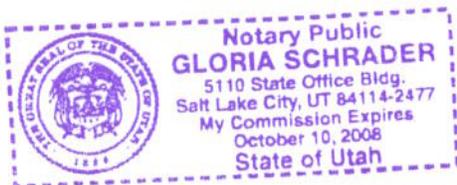
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s.

7. Prior to 1976, I observed the graded surface of the road.

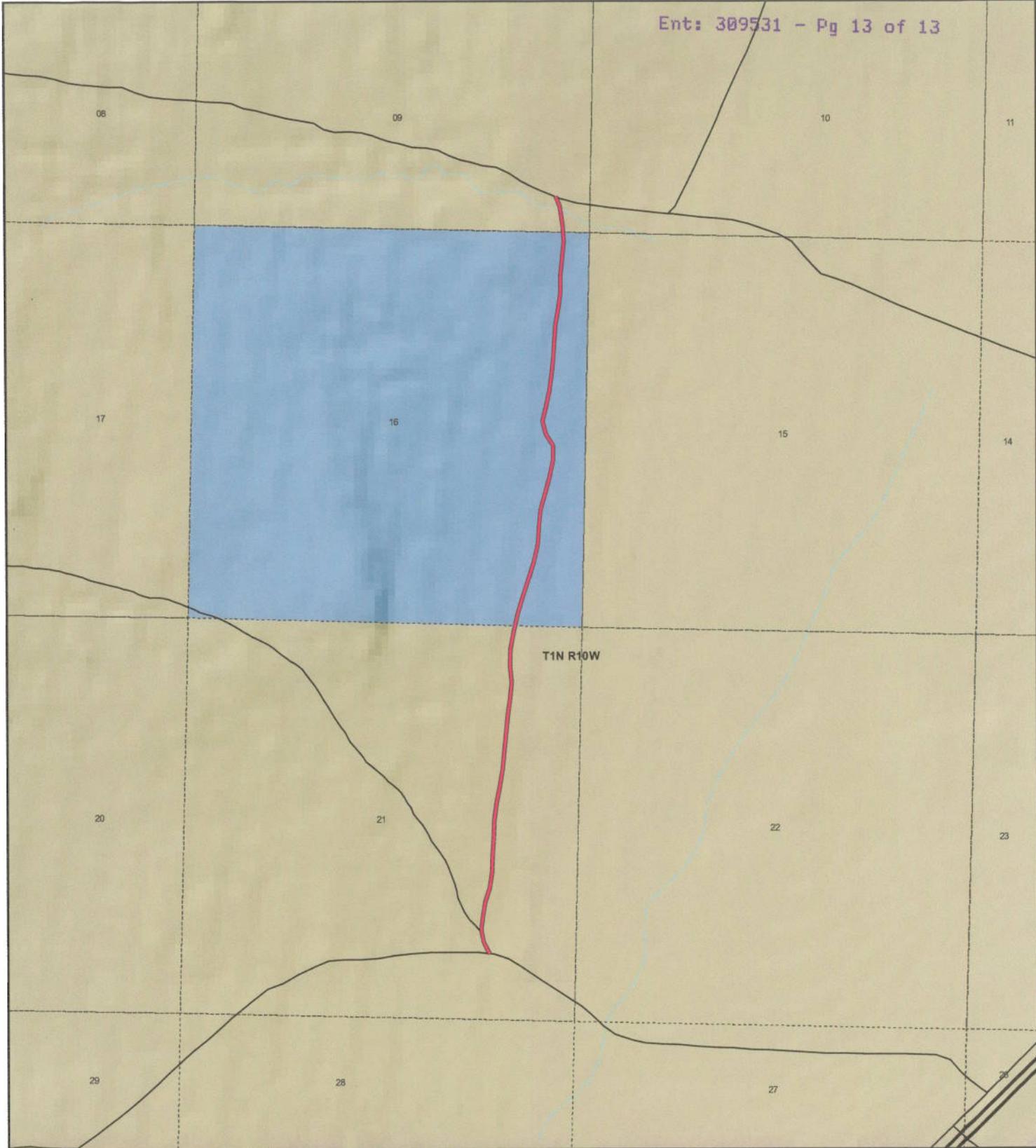
Dated this 3 day of June, 2008.


GERALD E. BERTAGNOLE

SUBSCRIBED AND SWORN to before me this 3rd day of June, 2008.




NOTARY PUBLIC



T1N R10W

Tooele County
De Gamma Road
County Unique - tc02251

Land Ownership Categories

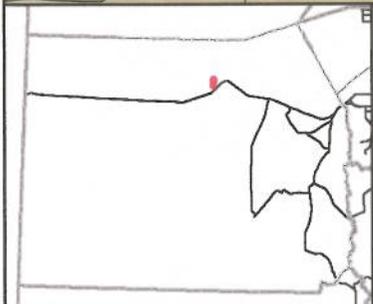
- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- Military
- Tribal
- Wilderness
- State Park

Transportation Network

- De Gamma Road
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile



1:20,672
 1 inch equals 0.3 miles



Map prepared by the State of Utah
 AGRC
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Apr 21, 2008



Appendix A to Attachment 4

Popular Name: De Gamma Road

County: Tooele

County Road Number: tc02251

State Geographic Information Database (SGID) Road Identification Number: RD230047.

Road-Segment Number: 001

Road-Segment Length: 0.85 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 10 West, Section(s) 21, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (De Gamma 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 47 minutes 57.64 seconds North Latitude and -112 degrees 58 minutes 31.45 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,231,925.4 feet and Y = 7,463,290.4 feet; thence the following courses along the said road center line:

thence North 42 Degrees 40 Minutes 58 Seconds West 39.9 feet
thence North 25 Degrees 19 Minutes 23 Seconds West 143 feet
thence North 11 Degrees 03 Minutes 03 Seconds West 121.9 feet
thence North 10 Degrees 46 Minutes 18 Seconds West 41.7 feet
thence North 06 Degrees 24 Minutes 47 Seconds East 178.4 feet
thence North 09 Degrees 04 Minutes 07 Seconds East 194.6 feet
thence North 16 Degrees 53 Minutes 43 Seconds East 199.3 feet
thence North 09 Degrees 01 Minutes 40 Seconds East 209.5 feet
thence North 02 Degrees 01 Minutes 34 Seconds East 229.9 feet
thence North 01 Degrees 58 Minutes 35 Seconds East 234.8 feet
thence North 02 Degrees 56 Minutes 48 Seconds East 239.9 feet
thence North 06 Degrees 44 Minutes 19 Seconds East 231.4 feet

thence North 10 Degrees 43 Minutes 45 Seconds East 235.7 feet
thence North 09 Degrees 02 Minutes 19 Seconds East 239.4 feet
thence North 04 Degrees 32 Minutes 30 Seconds East 238.8 feet
thence North 05 Degrees 02 Minutes 56 Seconds East 237.3 feet
thence North 06 Degrees 33 Minutes 36 Seconds East 234.7 feet
thence North 06 Degrees 16 Minutes 02 Seconds East 227.9 feet
thence North 05 Degrees 57 Minutes 55 Seconds East 217.9 feet
thence North 06 Degrees 41 Minutes 10 Seconds West 222.8 feet
thence North 02 Degrees 32 Minutes 12 Seconds East 228.3 feet
thence North 09 Degrees 54 Minutes 12 Seconds East 243.4 feet
thence North 12 Degrees 06 Minutes 38 Seconds East 73.6 feet more or less to **the ending**

point at: 40 degrees 48 minutes 41.16 seconds North Latitude and -112 degrees 58 minutes 028.3 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,232,240.2 feet and Y = 7,467,690.5 feet.

Appendix B to Attachment 4

Popular Name: De Gamma Road

County: Tooele

County Road Number: tc02251

State Geographic Information Database (SGID) Road Identification Number: RD230047.

Road-Segment Number: 003

Road-Segment Length: 0.09 miles more or less.

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

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

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

This road-segment may traverse:

Township 1 North Range 10 West, Section(s) 9, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (De Gamma 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 49 minutes 33.44 seconds North Latitude and -112 degrees 58 minutes 21.18 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,232,874.6 feet and Y = 7,472,971.3 feet; thence the following courses along the said road center line:

thence North 04 Degrees 07 Minutes 53 Seconds West 90 feet

thence North 08 Degrees 07 Minutes 57 Seconds West 162.3 feet

thence North 11 Degrees 29 Minutes 03 Seconds West 107 feet

thence North 20 Degrees 05 Minutes 57 Seconds West 76.7 feet

thence North 26 Degrees 36 Minutes 19 Seconds West 54.9 feet more or less to **the ending**

point at: 40 degrees 49 minutes 38.13 seconds North Latitude and -112 degrees 58 minutes 22.61 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,232,772.9 feet and Y = 7,473,447.6 feet.