

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Bertagnole Well Road; County Road Number: tc02266; State Geographic Information Database (SGID) Road Identification Number: RD230049. Total road length is 3.84 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

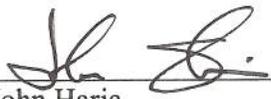
Internet at <http://recorded2477roads.utah.gov>.

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

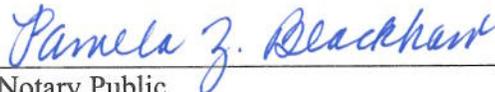
CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

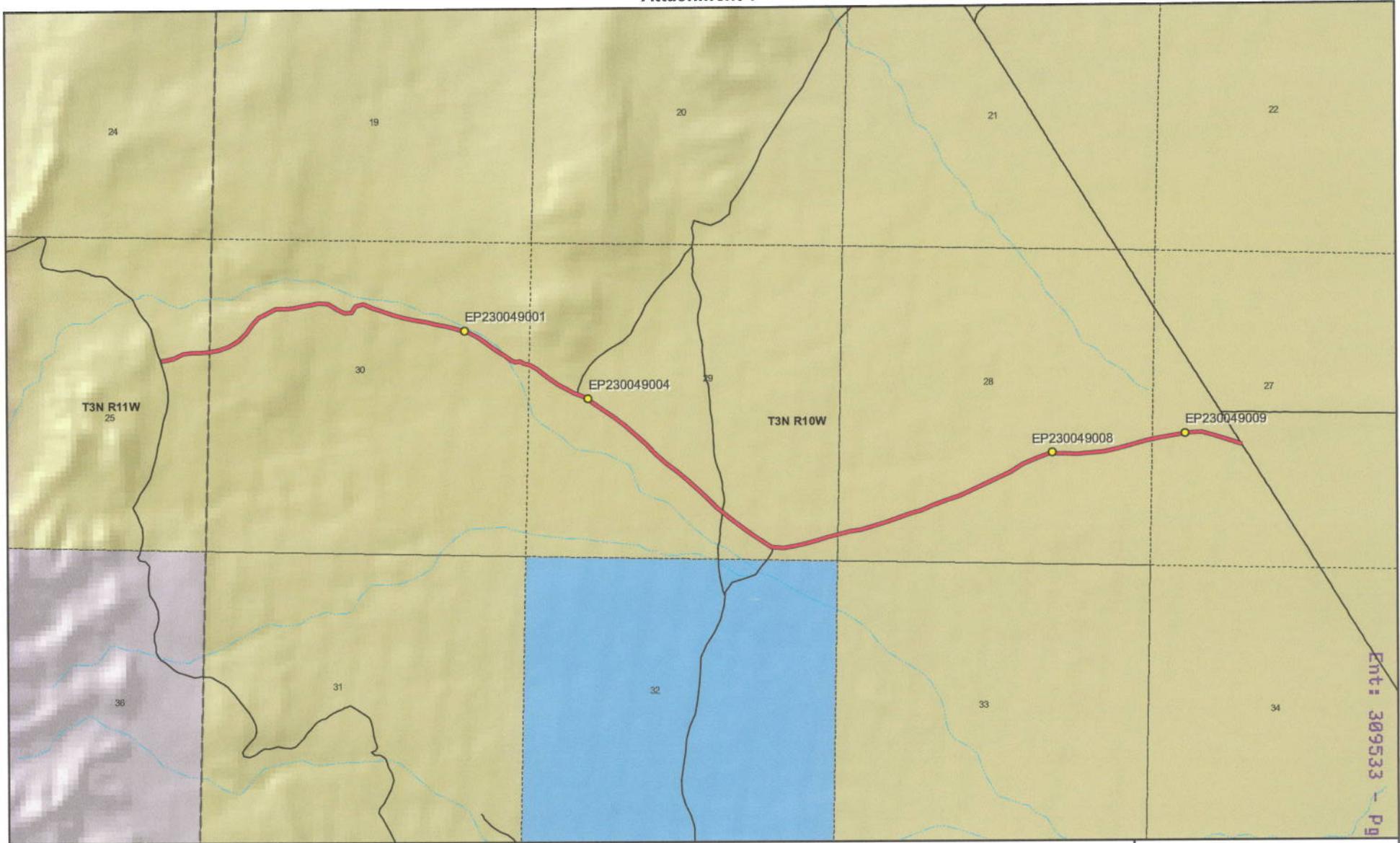
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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



Ent: 309533 - Pg 3 of 13

Bertagnole Well Road - Tooele County
SGID RD_ID RD230049

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

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



1:26,825
1 inch equals 0.4 miles



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





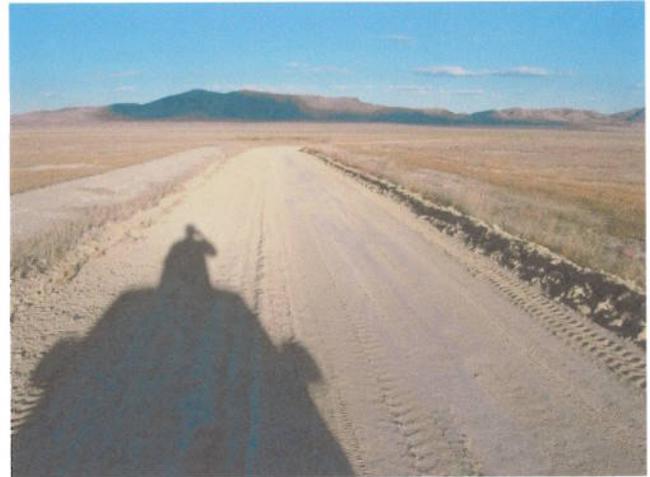
EP230049001



EP230049004



EP230049008



EP230049009

EP000000000

EP000000000

Bertagnole Well Road - Tooele County
SGID RD_ID RD230049

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: Bertagnole Well Road

County: Tooele

County Road Number: tc02266

State Geographic Information Database (SGID) Road Identification Number: RD230049.

Total Road Length: 3.84 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 57 minutes 58.49 seconds North Latitude and -113 degrees 01 minutes 52.94 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,217,472.0 feet and Y = 7,524,355.9 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 57 minutes 47.51 seconds North Latitude and -112 degrees 57 minutes 55 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,235,706.1 feet and Y = 7,522,938.3 feet based on the US Survey Foot conversion.

This road may traverse:

Township 3 North Range 10 West, Section(s) 27,28,29,30, Salt Lake Base & Meridian

Township 3 North Range 11 West, Section(s) 25, 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: Bertagnole Well Road

County: Tooele

County Road Number: tc02266

State Geographic Information Database (SGID) Road Identification Number: RD230049.

Total Road Length: 3.84 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
RD230049	001	BLM	3.84 Miles	A
		Total Road Length	3.84	_____

* 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 LEE F. NIX
BERTAGNOLE WELL ROAD
TOOELE COUNTY, UTAH
ROAD NUMBER tc02266

State of Utah)
 : ss.
County of Tooele)

LEE F. NIX, 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 was born and raised in Tooele County and have lived here all of my life for 80 years.

2. I have traveled and am familiar with a road in Tooele County known as Bertagnole Well Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1930s it followed the same route as in 2007 when I last observed it. Attached is a Tooele County map showing Bertagnole Well 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. I am informed that 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 1930s and continuing through 2007. During this time period I have observed travel on the road by means of cars, pickup trucks and ATVs. During this time period, the road was used daily, weather permitting, for more than ten continuous years prior to 1976 and was so used in 2007.

5. During the time period from the late 1930s to 2007, I have used the road myself for sightseeing, recreation, hunting, rock hounding and travel in and through the area.

6. During 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.

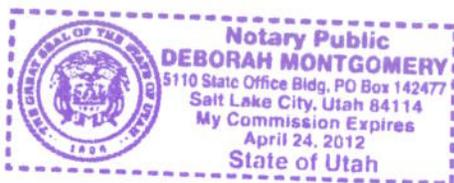
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed the graded surface of the road and other evidence of maintenance and construction such as berms along the side of the road.

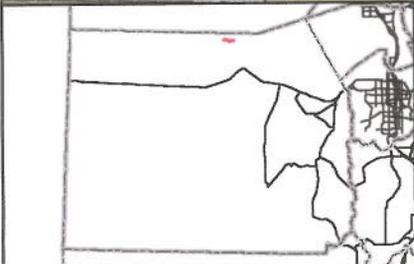
DATED this 22 day of May, 2008.


LEE F. NIX

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




NOTARY PUBLIC



Tooele County
Bertagnole Well Road
County Unique - tc02266

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Park

- Wildlife Reserve
- Military
- Wilderness
- Tribal

Misc

- City / Town
- Municipalities
- Section = 1 Mile

Transportation Network

- Bertagnole Well Road
- State / U.S. Highway
- Local Roads



1:26,825
 1 inch equals 0.4 miles



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



AFFIDAVIT OF DOUGLAS F. ANDERSON

BERTAGNOLE WELL ROAD

COUNTY ROAD NUMBER tc02266

TOOELE COUNTY, UTAH

State of Utah)
 : ss.
County of Tooele)

DOUGLAS F. ANDERSON, 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 was born and raised in Granstville, Tooele County, Utah and resided there from 1934 to 1952. I have resided in Salt Lake County for the past 48 years. My parents resided in Tooele County from the early 1900s to the early 1990s.

2. I have traveled and am familiar with a road in Tooele County known as Bertagnole Well 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 2007 when I last observed it. Attached is a Tooele County map showing Bertagnole Well 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 early 1960s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by

various means, including ATVs, pickups, motorcycles, and jeeps. Throughout this time period, the road has been used weekly, weather permitting for more than ten continuous years prior to 1976, and was so used in 2007.

4. Throughout the time period from the early 1960s to 2006, I have used the road myself for hunting access 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.

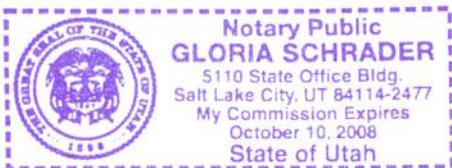
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s.

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

Dated this 1st day of May, 2008.

Douglas F. Anderson
DOUGLAS F. ANDERSON

SUBSCRIBED AND SWORN to before me this 1st day of May, 2008.



Gloria Schrader
NOTARY PUBLIC



Ent: 309533 - Pg 13 of 13

**Tooele County
Bertagnole Well Road
County Unique - tc02266**

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Park

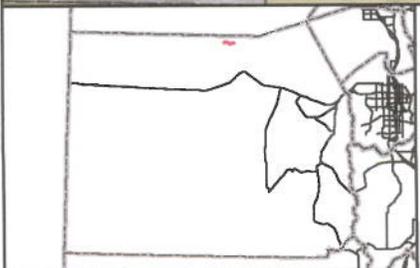
- ◆ Wildlife Reserve
- ◆ Military
- ◆ Wilderness
- ◆ Tribal

Misc

- City / Town
- Municipalities
- Section = 1 Mile

Transportation Network

- Bertagnole Well Road
- State / U.S. Highway
- Local Roads



1:26,825
1 inch equals 0.4 miles



Map prepared by the State of Utah
Automated Geographic Reference Center
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
Apr 18, 2005



Appendix A to Attachment 4

Popular Name: Bertagnole Well Road

County: Tooele

County Road Number: tc02266

State Geographic Information Database (SGID) Road Identification Number: RD230049.

Road-Segment Number: 001

Road-Segment Length: 3.84 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 3 North Range 10 West, Section(s) 27,28,29,30, Salt Lake Base & Meridian

Township 3 North Range 11 West, Section(s) 25, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Bertagnole Well 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 57 minutes 58.49 seconds North Latitude and -113 degrees 01 minutes 52.94 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,217,472.0 feet and Y = 7,524,355.9 feet; thence the following courses along the said road center line:

thence South 78 Degrees 15 Minutes 23 Seconds East	23.5 feet
thence North 76 Degrees 03 Minutes 24 Seconds East	174.5 feet
thence North 65 Degrees 44 Minutes 52 Seconds East	186.3 feet
thence North 81 Degrees 40 Minutes 27 Seconds East	153.7 feet
thence South 89 Degrees 37 Minutes 13 Seconds East	128.6 feet
thence North 83 Degrees 13 Minutes 25 Seconds East	146.6 feet
thence North 81 Degrees 37 Minutes 29 Seconds East	15 feet
thence North 81 Degrees 40 Minutes 22 Seconds East	162.2 feet
thence North 70 Degrees 58 Minutes 55 Seconds East	179.4 feet
thence North 59 Degrees 05 Minutes 05 Seconds East	193.6 feet

thence North 43 Degrees 25 Minutes 14 Seconds East 184 feet
 thence North 35 Degrees 05 Minutes 08 Seconds East 173.2 feet
 thence North 41 Degrees 00 Minutes 52 Seconds East 157.4 feet
 thence North 61 Degrees 58 Minutes 22 Seconds East 159 feet
 thence North 64 Degrees 55 Minutes 41 Seconds East 168.7 feet
 thence North 87 Degrees 16 Minutes 39 Seconds East 158.6 feet
 thence North 85 Degrees 19 Minutes 33 Seconds East 152.4 feet
 thence North 76 Degrees 33 Minutes 25 Seconds East 130.4 feet
 thence North 84 Degrees 06 Minutes 12 Seconds East 135.8 feet
 thence North 75 Degrees 00 Minutes 05 Seconds East 149.2 feet
 thence South 86 Degrees 52 Minutes 33 Seconds East 162.4 feet
 thence South 57 Degrees 08 Minutes 28 Seconds East 173.7 feet
 thence South 64 Degrees 16 Minutes 49 Seconds East 153.1 feet
 thence North 84 Degrees 53 Minutes 07 Seconds East 118.5 feet
 thence North 31 Degrees 21 Minutes 40 Seconds East 129.2 feet
 thence North 79 Degrees 23 Minutes 46 Seconds East 129 feet
 thence South 67 Degrees 41 Minutes 26 Seconds East 178.9 feet
 thence South 74 Degrees 13 Minutes 20 Seconds East 183.1 feet
 thence South 69 Degrees 09 Minutes 39 Seconds East 177 feet
 thence South 75 Degrees 24 Minutes 24 Seconds East 190.9 feet
 thence South 79 Degrees 02 Minutes 27 Seconds East 192.4 feet
 thence South 79 Degrees 09 Minutes 56 Seconds East 177.6 feet
 thence South 78 Degrees 18 Minutes 14 Seconds East 165.1 feet
 thence South 77 Degrees 44 Minutes 53 Seconds East 165.4 feet
 thence South 77 Degrees 15 Minutes 32 Seconds East 159.3 feet
 thence South 73 Degrees 38 Minutes 16 Seconds East 131.2 feet
 thence South 78 Degrees 34 Minutes 57 Seconds East 32.2 feet
 thence South 73 Degrees 46 Minutes 01 Seconds East 109.2 feet
 thence South 59 Degrees 15 Minutes 06 Seconds East 142.9 feet
 thence South 55 Degrees 59 Minutes 33 Seconds East 148.3 feet
 thence South 54 Degrees 48 Minutes 47 Seconds East 158.1 feet
 thence South 56 Degrees 05 Minutes 17 Seconds East 145.7 feet
 thence South 57 Degrees 11 Minutes 11 Seconds East 129 feet
 thence South 51 Degrees 17 Minutes 51 Seconds East 112 feet
 thence South 70 Degrees 06 Minutes 49 Seconds East 75.9 feet
 thence North 87 Degrees 31 Minutes 41 Seconds East 88.7 feet
 thence South 73 Degrees 39 Minutes 05 Seconds East 17.1 feet
 thence South 64 Degrees 14 Minutes 12 Seconds East 37.3 feet
 thence South 61 Degrees 01 Minutes 25 Seconds East 33.5 feet
 thence South 75 Degrees 22 Minutes 46 Seconds East 76.1 feet
 thence South 75 Degrees 19 Minutes 32 Seconds East 6.5 feet
 thence South 61 Degrees 58 Minutes 27 Seconds East 134.6 feet
 thence South 50 Degrees 27 Minutes 50 Seconds East 148.4 feet
 thence South 55 Degrees 02 Minutes 06 Seconds East 147.6 feet
 thence South 56 Degrees 13 Minutes 23 Seconds East 155 feet
 thence South 62 Degrees 30 Minutes 18 Seconds East 151 feet
 thence South 59 Degrees 06 Minutes 05 Seconds East 158.1 feet
 thence South 70 Degrees 53 Minutes 39 Seconds East 64 feet
 thence South 69 Degrees 18 Minutes 47 Seconds East 109.7 feet

thence South 55 Degrees 34 Minutes 22 Seconds East	187 feet
thence South 53 Degrees 48 Minutes 29 Seconds East	206.7 feet
thence South 57 Degrees 33 Minutes 20 Seconds East	227.2 feet
thence South 51 Degrees 57 Minutes 32 Seconds East	229.8 feet
thence South 49 Degrees 25 Minutes 12 Seconds East	235.4 feet
thence South 47 Degrees 19 Minutes 18 Seconds East	242.8 feet
thence South 44 Degrees 53 Minutes 51 Seconds East	234.8 feet
thence South 48 Degrees 36 Minutes 45 Seconds East	224.3 feet
thence South 53 Degrees 54 Minutes 25 Seconds East	229.2 feet
thence South 50 Degrees 02 Minutes 24 Seconds East	238.4 feet
thence South 49 Degrees 25 Minutes 12 Seconds East	235.4 feet
thence South 46 Degrees 56 Minutes 59 Seconds East	224.5 feet
thence South 45 Degrees 46 Minutes 26 Seconds East	219.7 feet
thence South 50 Degrees 38 Minutes 56 Seconds East	115.6 feet
thence South 50 Degrees 24 Minutes 50 Seconds East	92 feet
thence South 53 Degrees 03 Minutes 37 Seconds East	205.8 feet
thence South 53 Degrees 25 Minutes 31 Seconds East	204.8 feet
thence South 55 Degrees 44 Minutes 40 Seconds East	199.3 feet
thence South 56 Degrees 57 Minutes 06 Seconds East	178.8 feet
thence South 58 Degrees 33 Minutes 47 Seconds East	137 feet
thence South 81 Degrees 24 Minutes 38 Seconds East	29.6 feet
thence South 81 Degrees 32 Minutes 36 Seconds East	23.6 feet
thence South 81 Degrees 28 Minutes 10 Seconds East	31.9 feet
thence South 84 Degrees 18 Minutes 35 Seconds East	124.7 feet
thence North 76 Degrees 56 Minutes 33 Seconds East	171.5 feet
thence North 78 Degrees 41 Minutes 21 Seconds East	189.8 feet
thence North 73 Degrees 28 Minutes 42 Seconds East	194.4 feet
thence North 73 Degrees 28 Minutes 42 Seconds East	194.4 feet
thence North 74 Degrees 16 Minutes 29 Seconds East	191.5 feet
thence North 74 Degrees 22 Minutes 10 Seconds East	6.6 feet
thence North 77 Degrees 06 Minutes 39 Seconds East	204 feet
thence North 79 Degrees 55 Minutes 47 Seconds East	204.1 feet
thence North 72 Degrees 32 Minutes 24 Seconds East	206.3 feet
thence North 73 Degrees 45 Minutes 57 Seconds East	209.8 feet
thence North 69 Degrees 23 Minutes 21 Seconds East	208.5 feet
thence North 71 Degrees 42 Minutes 05 Seconds East	207.6 feet
thence North 71 Degrees 32 Minutes 39 Seconds East	216.5 feet
thence North 67 Degrees 14 Minutes 51 Seconds East	232.5 feet
thence North 69 Degrees 41 Minutes 40 Seconds East	230.7 feet
thence North 72 Degrees 50 Minutes 59 Seconds East	232.7 feet
thence North 64 Degrees 00 Minutes 00 Seconds East	238.8 feet
thence North 65 Degrees 29 Minutes 48 Seconds East	240.6 feet
thence North 64 Degrees 54 Minutes 46 Seconds East	239.2 feet
thence North 65 Degrees 27 Minutes 53 Seconds East	240.3 feet
thence North 59 Degrees 18 Minutes 11 Seconds East	240.3 feet
thence North 65 Degrees 59 Minutes 35 Seconds East	237.2 feet
thence North 70 Degrees 12 Minutes 35 Seconds East	236.6 feet
thence North 89 Degrees 38 Minutes 59 Seconds East	231.7 feet
thence South 88 Degrees 20 Minutes 31 Seconds East	234.1 feet

thence North 86 Degrees 26 Minutes 35 Seconds East 234.7 feet
thence North 82 Degrees 40 Minutes 37 Seconds East 229.8 feet
thence North 78 Degrees 41 Minutes 17 Seconds East 233 feet
thence North 74 Degrees 05 Minutes 04 Seconds East 244.6 feet
thence North 75 Degrees 32 Minutes 32 Seconds East 255.8 feet
thence North 76 Degrees 44 Minutes 31 Seconds East 103.9 feet
thence North 76 Degrees 44 Minutes 52 Seconds East 145.9 feet
thence North 80 Degrees 12 Minutes 47 Seconds East 240.2 feet
thence North 81 Degrees 37 Minutes 17 Seconds East 234.9 feet
thence North 85 Degrees 32 Minutes 05 Seconds East 228.6 feet
thence South 74 Degrees 45 Minutes 26 Seconds East 219.7 feet
thence South 70 Degrees 41 Minutes 46 Seconds East 224.4 feet
thence South 72 Degrees 26 Minutes 17 Seconds East 261.4 feet more or less to **the ending**

point at: 40 degrees 57 minutes 47.51 seconds North Latitude and -112 degrees 57 minutes 55 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,235,706.1 feet and Y = 7,522,938.3 feet.