

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Davenport Canyon Road; County Road Number: tc03280; State Geographic Information Database (SGID) Road Identification Number: RD230113. Total road length is 6.24 miles more or less.

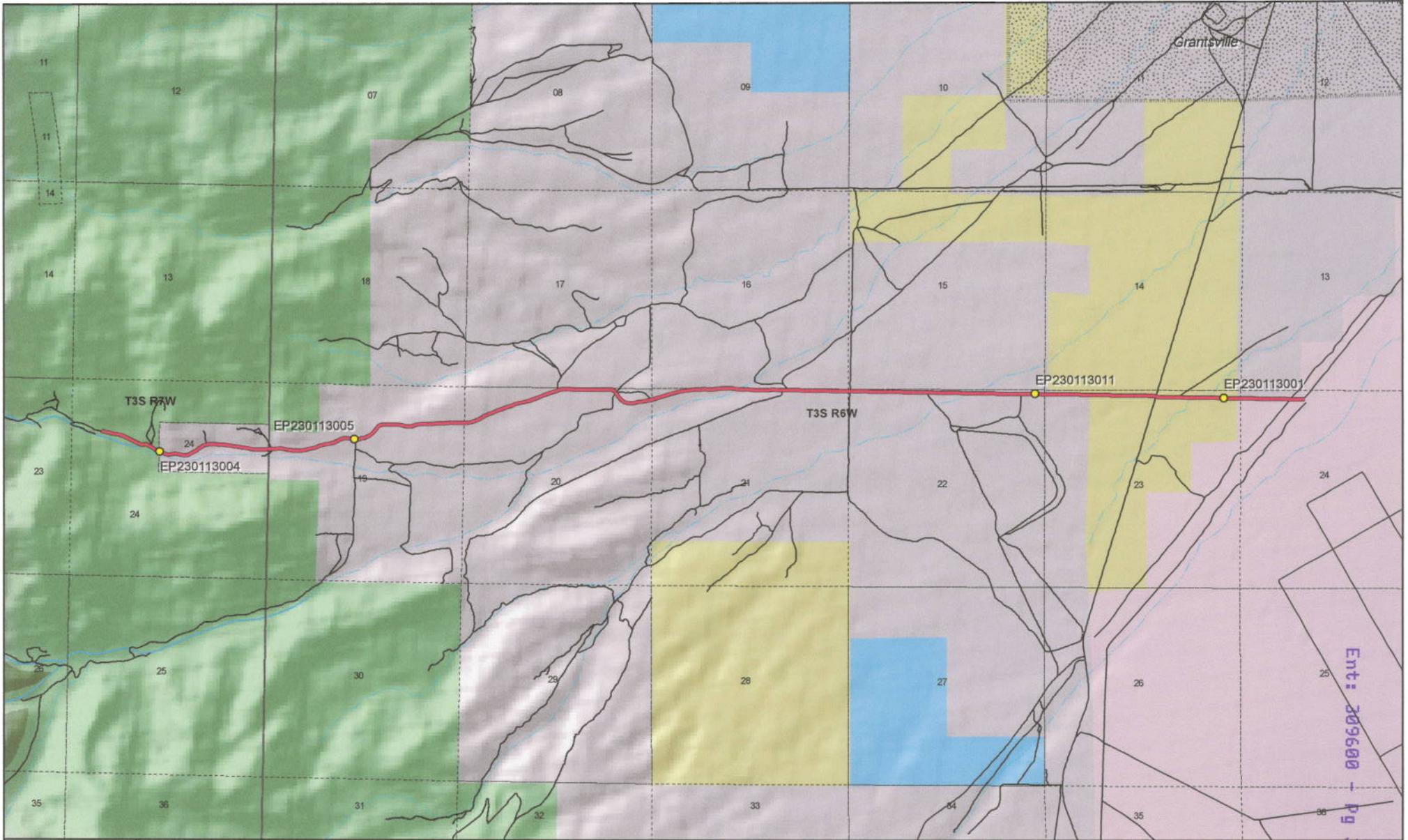
The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) 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



Ent: 309600 - Pg 3 of 19

Davenport Canyon Road - Tooele County
SGID RD_ID RD230113

Land Ownership Categories

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

Transportation Network

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



1:42,664

1 inch equals 0.7 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





EP230113001



EP230113004



EP230113005



EP230113011

EP000000000

EP000000000

Davenport Canyon Road - Tooele County
SGID RD_ID RD230113

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: Davenport Canyon Road

County: Tooele

County Road Number: tc03280

State Geographic Information Database (SGID) Road Identification Number: RD230113.

Total Road Length: 6.24 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 32 minutes 39.93 seconds North Latitude and -112 degrees 35 minutes 37.75 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,336,431.8 feet and Y = 7,368,904.6 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 32 minutes 53.77 seconds North Latitude and -112 degrees 28 minutes 42.36 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,368,513.0 feet and Y = 7,369,933.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 3 South Range 6 West, Section(s) 16,19,20,21,22,23,24, Salt Lake Base & Meridian

Township 3 South Range 7 West, Section(s) 24, 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: Davenport Canyon Road

County: Tooele

County Road Number: tc03280

State Geographic Information Database (SGID) Road Identification Number: RD230113.

Total Road Length: 6.24 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
RD230113	001	FS	0.31 Miles	†(pending)
RD230113	002	PVT	4.84 Miles	(not shown)
RD230113	003	BLM	0.74 Miles	A
RD230113	004	MIL	0.34 Miles	(not shown)
		Total Road Length	6.24	_____

* 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 COLLEEN S. JOHNSON

DAVENPORT CANYON ROAD

COUNTY ROAD NUMBER 03280

TOOELE COUNTY, UTAH

State of Utah)
 : ss.
County of Tooele)

COLLEEN S. JOHNSON, 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 58 years. I have been a Tooele County Commissioner from 2005 to the present.

2. I have traveled and am familiar with a road in Tooele County known as Davenport Canyon 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 1997 when I last observed it. Attached is a Tooele County map showing Davenport Canyon 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 1997. Throughout this time period I have observed travel on the road by various means, including ATVs, trucks 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 1997.

4. Throughout the time period from the early 1960s to 1997, I have used the road myself for recreation and traveling 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 farming, livestock operations, rock hounding and 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 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

Dated this 27 day of August, 2007.


COLLEEN S. JOHNSON

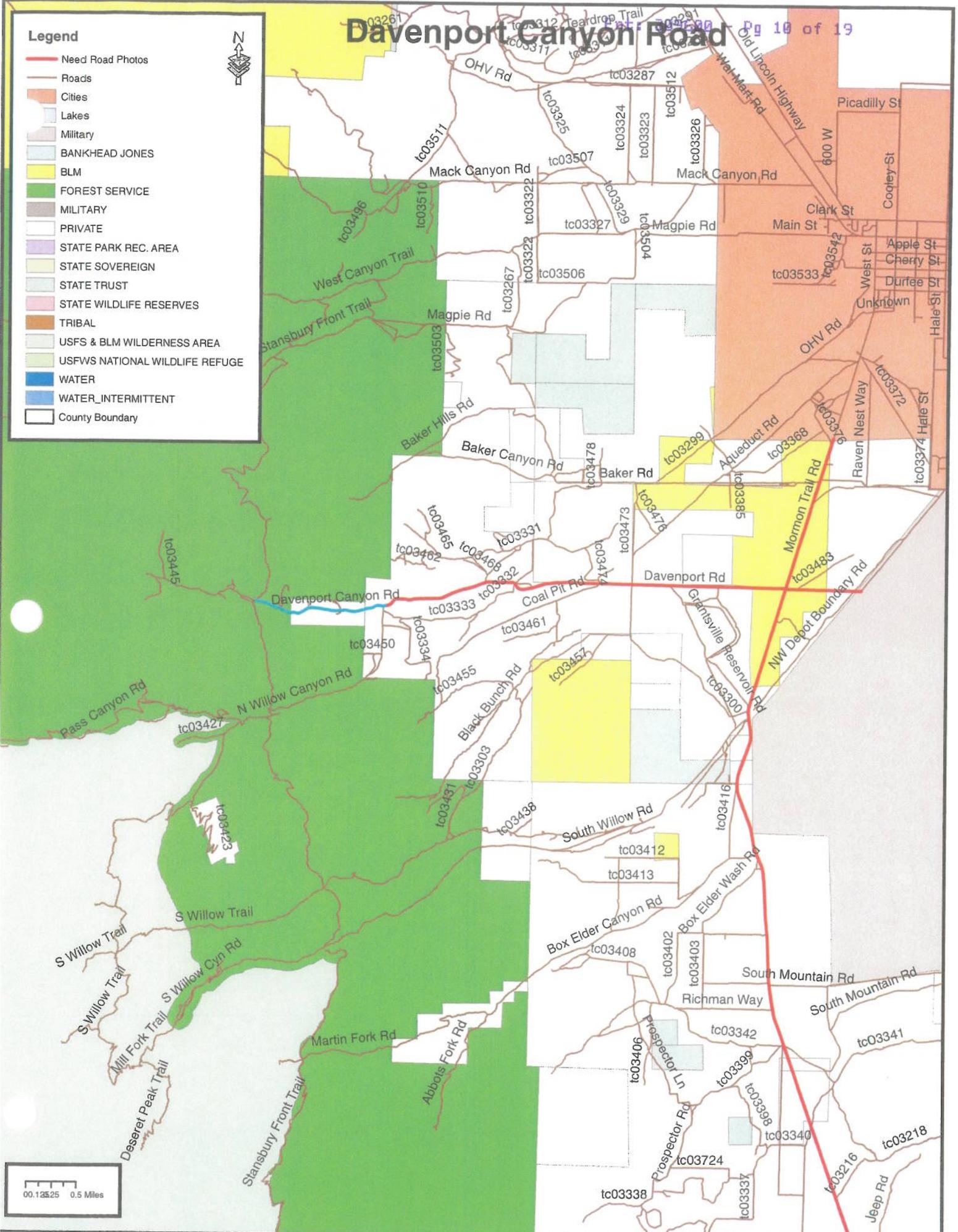
SUBSCRIBED AND SWORN to before me this 27th day of August, 2007.




NOTARY PUBLIC

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



AFFIDAVIT OF J. BRUCE CLEGG
DAVENPORT CANYON ROAD
TOOELE COUNTY, UTAH
ROAD NUMBER 03280

State of Utah)
 : ss.
County of Tooele)

J. BRUCE CLEGG, 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 Erda, Tooele County, Utah. I have lived in Tooele County for 60 years.

2. I have traveled and am familiar with a road in Tooele County known as Davenport Canyon 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 Davenport Canyon 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 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. Throughout the time period from the late 1950s to 2007, I have used the road myself for livestock operations, hunting and travel in an 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 trapping, mining, wood gathering, cedar post cutting, 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.

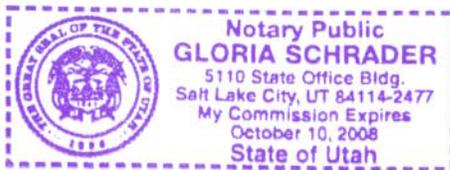
8. Prior to 1976, I have observed graders and other equipment performing maintenance and construction activities on the road.

DATED this 27 day of August, 2007.



J. BRUCE CLEGG

SUBSCRIBED AND SWORN to before me this 27th day of August, 2007.



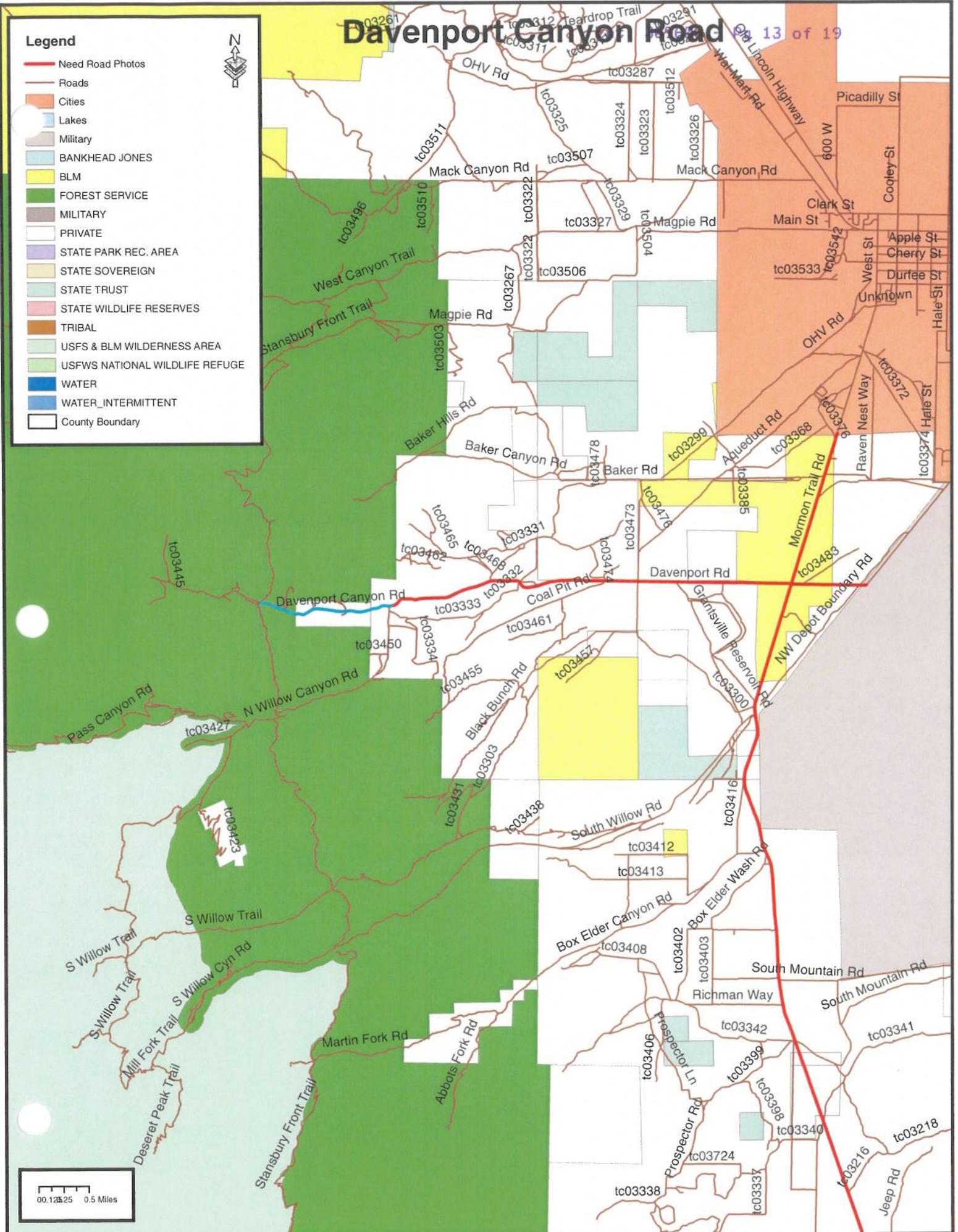


NOTARY PUBLIC

Davenport Canyon 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



00.125 0.5 Miles

AFFIDAVIT OF COLLEEN S. JOHNSON

DAVENPORT ROAD

COUNTY ROAD NUMBER 03280

TOOELE COUNTY, UTAH

State of Utah)
 : ss.
County of Tooele)

COLLEEN S. JOHNSON, 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 58 years. I have been a Tooele County Commissioner from 2005 to the present.

2. I have traveled and am familiar with a road in Tooele County known as Davenport 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 1997 when I last observed it. Attached is a Tooele County map showing Davenport 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 1997. Throughout this time period I have observed travel on the road by various means, including cars, ATVs, trucks 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 1997.

4. Throughout the time period from the early 1960s to 1997, I have used the road myself for recreation and traveling 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 farming, livestock operations, rock hounding and 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 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

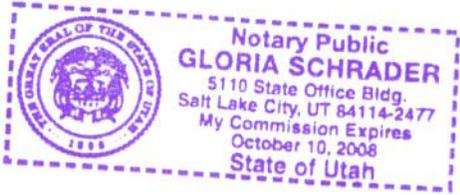
7. Prior to 1976, I observed the graded surface of the road.

Dated this 21 day of August, 2007.

Colleen S. Johnson
COLLEEN S. JOHNSON

SUBSCRIBED AND SWORN to before me this 27th day of August, 2007.

Gloria Schrader
NOTARY PUBLIC



AFFIDAVIT OF LELAND J. HOGAN

DAVENPORT ROAD

COUNTY ROAD NUMBER 03280

TOOELE COUNTY, UTAH

State of Utah)
 : ss.
County of Tooele)

LELAND J. HOGAN, 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 53 years. I was a Tooele County Commissioner from 1986 to 1994.

2. I have traveled and am familiar with a road in Tooele County known as Davenport Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1965 it followed the same route as in 2003 when I last observed it. Attached is a Tooele County map showing Davenport 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 1965 and continuing through 1976 to 2003. Throughout this time period I have observed travel on the road by various means, including cars, maintenance vehicles, trucks and jeeps. Throughout this time period, the road has been used daily, weather permitting, for more than ten continuous years prior to 1976, and was so used in 2003.

4. Throughout the time period from 1965 to 2003, I have used the road myself for recreation and traveling 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 prospecting for minerals, hunting, mining, farming and oil and gas exploration.

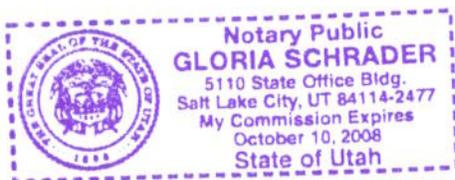
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

7. Prior to 1976, I observed maintenance vehicles performing maintenance and construction on the road.

Dated this 27 day of August, 2007.


LELAND J. HOGAN

SUBSCRIBED AND SWORN to before me this 27th day of August, 2007.



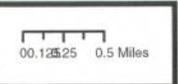
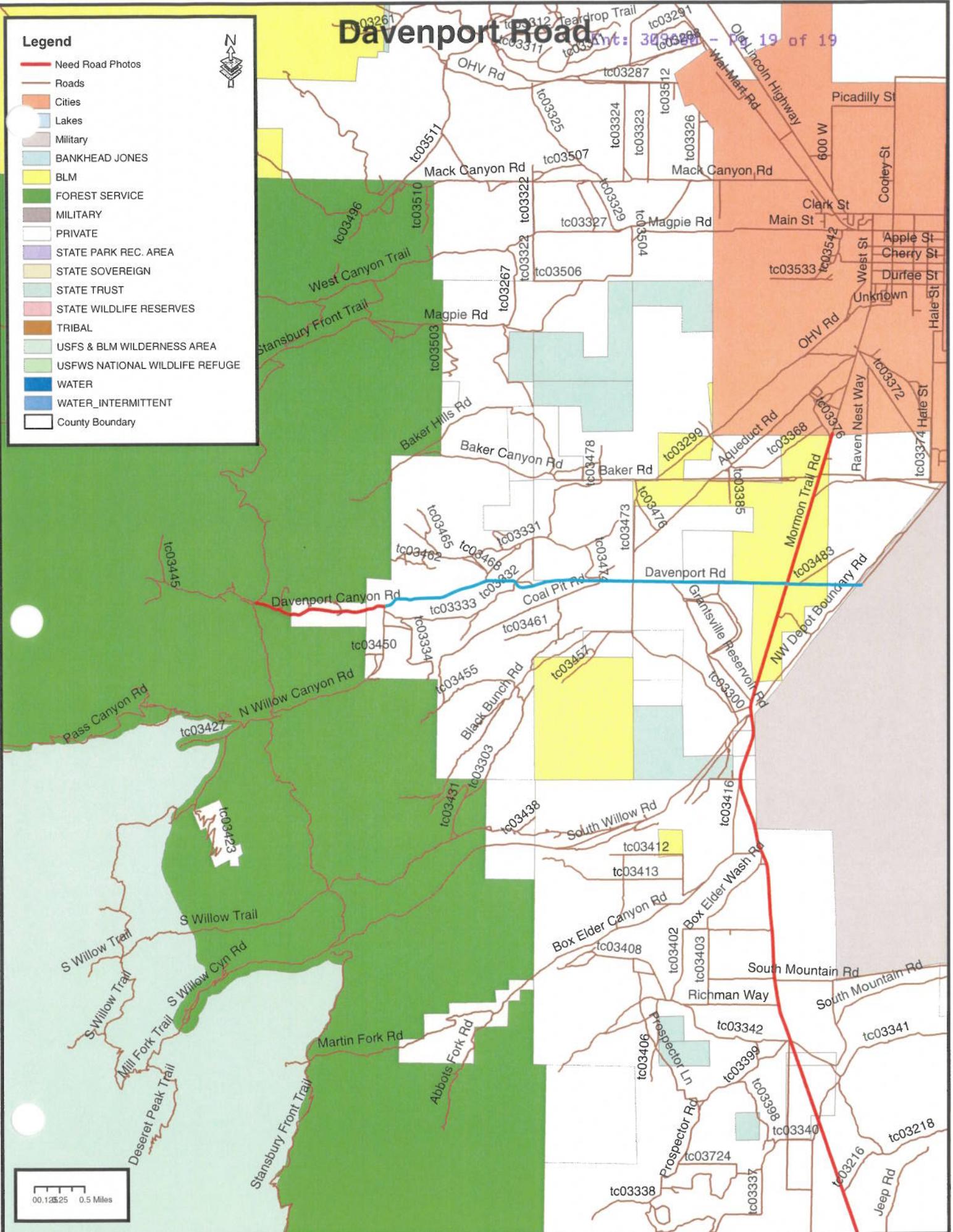

NOTARY PUBLIC

Davenport Road

Print: 3056288 - 19 of 19

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: Davenport Canyon Road

County: Tooele

County Road Number: tc03280

State Geographic Information Database (SGID) Road Identification Number: RD230113.

Road-Segment Number: 003

Road-Segment Length: 0.74 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 South Range 6 West, Section(s) 23, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Davenport Canyon 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 32 minutes 053.9 seconds North Latitude and -112 degrees 29 minutes 56.63 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,362,780.0 feet and Y = 7,370,009.8 feet; thence the following courses along the said road center line:

thence North 88 Degrees 01 Minutes 33 Seconds East	19.5 feet
thence South 87 Degrees 17 Minutes 23 Seconds East	61.8 feet
thence North 89 Degrees 39 Minutes 55 Seconds East	59.4 feet
thence South 88 Degrees 41 Minutes 19 Seconds East	57.1 feet
thence South 88 Degrees 37 Minutes 47 Seconds East	55.2 feet
thence North 88 Degrees 04 Minutes 58 Seconds East	59.4 feet
thence South 87 Degrees 10 Minutes 20 Seconds East	59.5 feet
thence North 87 Degrees 49 Minutes 03 Seconds East	50.9 feet
thence South 87 Degrees 02 Minutes 43 Seconds East	57.2 feet
thence North 89 Degrees 39 Minutes 55 Seconds East	55.1 feet
thence South 86 Degrees 55 Minutes 41 Seconds East	55.2 feet

thence North 89 Degrees 39 Minutes 55 Seconds East 53.2 feet
 thence South 88 Degrees 33 Minutes 21 Seconds East 52.9 feet
 thence North 89 Degrees 39 Minutes 55 Seconds East 48.9 feet
 thence North 87 Degrees 53 Minutes 11 Seconds East 52.9 feet
 thence South 87 Degrees 02 Minutes 43 Seconds East 57.2 feet
 thence North 87 Degrees 44 Minutes 36 Seconds East 48.9 feet
 thence South 86 Degrees 18 Minutes 22 Seconds East 46.7 feet
 thence North 87 Degrees 49 Minutes 03 Seconds East 50.9 feet
 thence South 86 Degrees 20 Minutes 04 Seconds East 47 feet
 thence North 89 Degrees 39 Minutes 55 Seconds East 48.6 feet
 thence South 88 Degrees 19 Minutes 04 Seconds East 46.6 feet
 thence North 87 Degrees 33 Minutes 35 Seconds East 44.7 feet
 thence South 85 Degrees 54 Minutes 07 Seconds East 42.5 feet
 thence North 87 Degrees 33 Minutes 35 Seconds East 44.7 feet
 thence South 85 Degrees 38 Minutes 55 Seconds East 40.2 feet
 thence North 89 Degrees 39 Minutes 55 Seconds East 40.4 feet
 thence North 89 Degrees 39 Minutes 55 Seconds East 38.4 feet
 thence South 87 Degrees 51 Minutes 59 Seconds East 38.1 feet
 thence North 87 Degrees 03 Minutes 46 Seconds East 36.1 feet
 thence South 87 Degrees 43 Minutes 55 Seconds East 36.1 feet
 thence North 89 Degrees 39 Minutes 55 Seconds East 33.8 feet
 thence North 86 Degrees 29 Minutes 07 Seconds East 29.6 feet
 thence South 84 Degrees 50 Minutes 32 Seconds East 34.3 feet
 thence North 89 Degrees 39 Minutes 55 Seconds East 27.6 feet
 thence North 86 Degrees 15 Minutes 32 Seconds East 27.6 feet
 thence South 86 Degrees 18 Minutes 22 Seconds East 23.4 feet
 thence South 81 Degrees 27 Minutes 14 Seconds East 21.3 feet
 thence South 84 Degrees 50 Minutes 32 Seconds East 17.1 feet
 thence South 83 Degrees 59 Minutes 39 Seconds East 14.9 feet
 thence North 89 Degrees 39 Minutes 55 Seconds East 8.5 feet
 thence South 52 Degrees 16 Minutes 08 Seconds East 34.6 feet
 thence South 87 Degrees 37 Minutes 00 Seconds East 103.8 feet
 thence South 88 Degrees 00 Minutes 01 Seconds East 120.9 feet
 thence South 88 Degrees 52 Minutes 50 Seconds East 129.3 feet
 thence South 89 Degrees 38 Minutes 33 Seconds East 135.9 feet
 thence South 88 Degrees 35 Minutes 37 Seconds East 108 feet
 thence North 89 Degrees 39 Minutes 55 Seconds East 55.1 feet
 thence South 89 Degrees 17 Minutes 27 Seconds East 180.2 feet
 thence South 89 Degrees 49 Minutes 09 Seconds East 182.5 feet
 thence South 89 Degrees 18 Minutes 54 Seconds East 184.4 feet
 thence South 89 Degrees 19 Minutes 33 Seconds East 186.4 feet
 thence South 88 Degrees 48 Minutes 30 Seconds East 184.8 feet
 thence South 89 Degrees 18 Minutes 08 Seconds East 182.1 feet
 thence North 89 Degrees 39 Minutes 55 Seconds East 63.7 feet
 thence South 79 Degrees 26 Minutes 56 Seconds East 8.7 feet
 thence South 87 Degrees 59 Minutes 15 Seconds East 40.1 feet
 thence South 89 Degrees 34 Minutes 14 Seconds East 123.1 feet
 thence South 89 Degrees 47 Minutes 19 Seconds East 161.9 feet more or less to **the ending**

point at: 40 degrees 32 minutes 53.57 seconds North Latitude and -112 degrees 29 minutes 05.86 seconds

West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of $X = 1,366,698.8$ feet and $Y = 7,369,933.2$ feet.