

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Duchesne County as it pertains to the highway located in Duchesne County known as Drumstick Road; County Road Number: 535; State Geographic Information Database (SGID) Road Identification Number: RD070049. Total road length is 1.75 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as “Attachment 1,” a printed copy of representative photos of the road is appended hereto as “Attachment 2,” a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as “Attachment 3,” and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as “Attachment 4.” The Appendices listed in “Attachment 4” that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as “Attachment 5.”

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

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

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 10th day of June, 2009.

By the Governor's Designee



John Harja

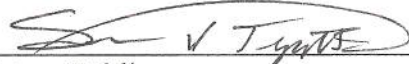
CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

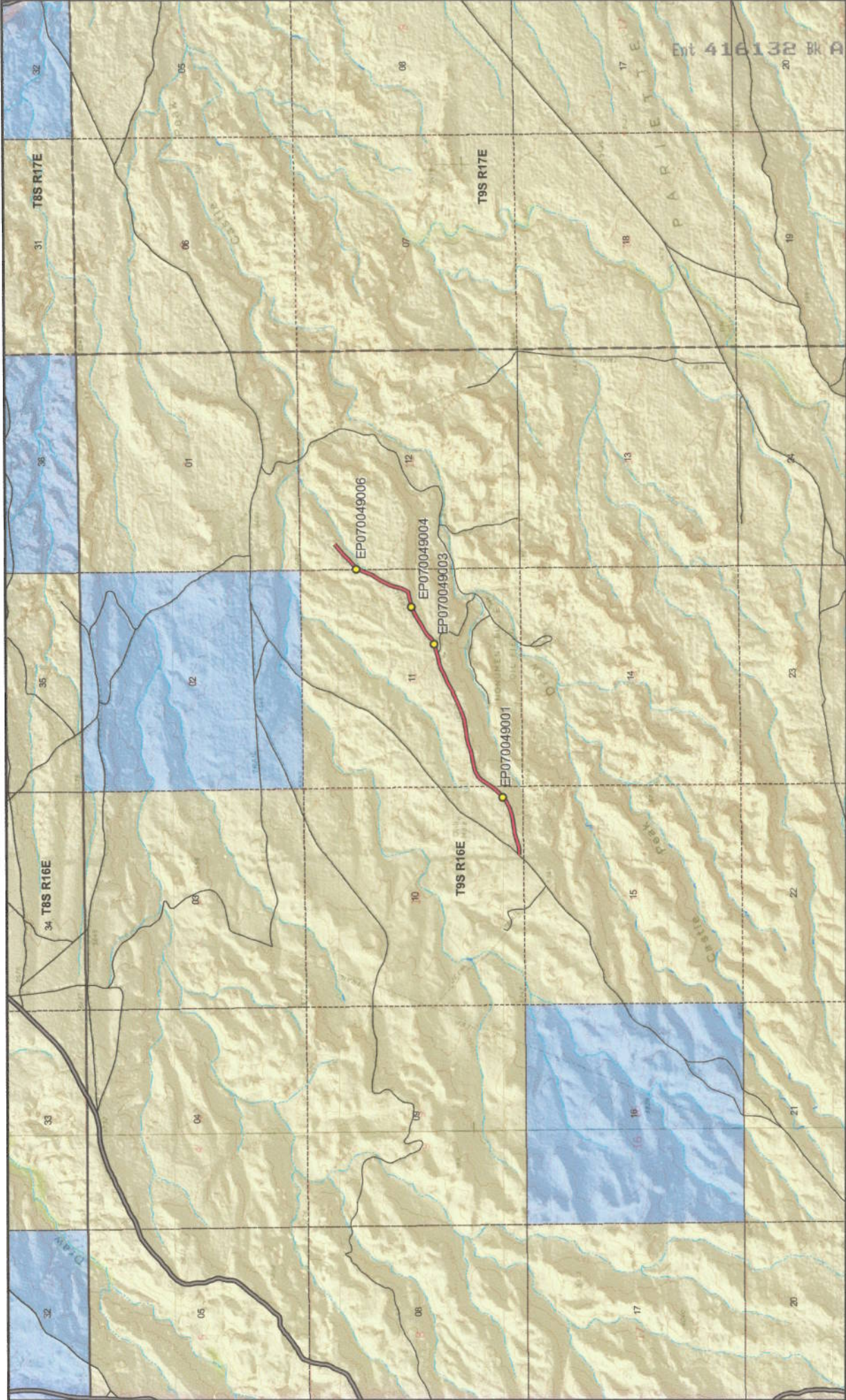
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 10th day of June, 2009.





Notary Public



Scale
1:39,443
1 inch = 0.61 miles

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- UDWR Wildlife Reserve
- Tribal
- Wilderness

Misc

- Photo Event Point
- Section = 1 Mile

Transportation Network

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

Drumstick Road - Duchesne County
SGID RD_ID RD070049 CO_UNIQUE 535

Map prepared by the State of Utah,
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Dec 04, 2008



EP070049001



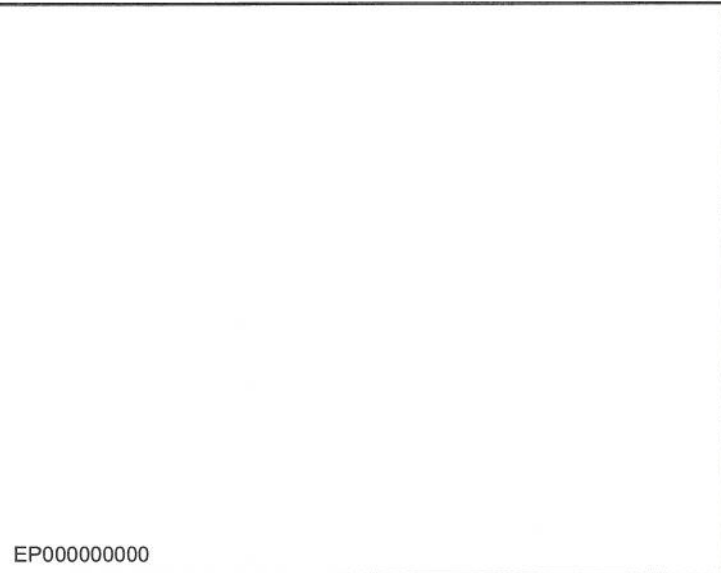
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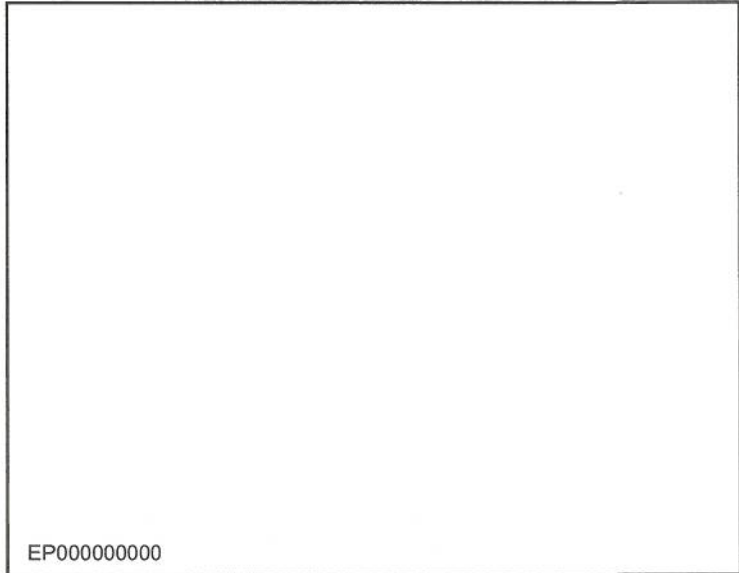
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EP000000000

Drumstick Road - Duchesne County
SGID RD_ID RD070049

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
January 28, 2009



Attachment 3

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

Popular Name: Drumstick Road

County: Duchesne

County Road Number: 535

State Geographic Information Database (SGID) Road Identification Number: RD070049.

Total Road Length: 1.75 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 02 minutes 18.45 seconds North Latitude and -110 degrees 06 minutes 06.85 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,031,839.0 feet and Y = 7,185,791.8 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 03 minutes 1.1 seconds North Latitude and -110 degrees 04 minutes 30.06 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,039,297.0 feet and Y = 7,190,224.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 9 South Range 16 East, Section(s) 10,11,12, 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: Drumstick Road

County: Duchesne

County Road Number: 535

State Geographic Information Database (SGID) Road Identification Number: RD070049.

Total Road Length: 1.75 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

Road-Segments Listed by SGID Road Identification Number (RD ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD070049	001	BLM	1.75 Miles	A
		Total Road Length	1.75	—————

* Indicates that a Title V permit will be requested, is in process, or has been issued.

† Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment 5

**AFFIDAVIT OF JAMES L. BROWN
DRUMSTICK ROAD
DUCHESNE COUNTY, UTAH
DUCHESNE COUNTY ROAD 535**

State of Utah)
 : ss.
County of Duchesne)

I, JAMES L. BROWN, testify and declare under oath as follows:

1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on May 10, 1942, in Evanston, Wyoming. I have lived in Duchesne County since 1970. I did seasonal work for the BLM and Forest Service in Duchesne County from 1965 to 1970. From 1970 to 1986 I worked for Nutter Ranch in Duchesne, Uintah and Carbon Counties.

2. I have traveled and am familiar with Drumstick Road, Duchesne County Road 535, and the land it traverses.

3. I took the following steps to verify that the Road I refer to in this affidavit and Drumstick Road (the " Road") are the same road:

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

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

c. I examined ground photos depicting the road and surrounding area and verified that the Road is accurately depicted in the photos and is the Road I refer to herein.

4. I have personally traveled the Road from 1965 through 1976 and continuing until 2007, (“the Time Period of My Experience”). It is the reputation in the community that the Road has been traveled as early as the early 1900s by livestock men and gilsonite prospectors and miners.

5. When I last traveled and observed the Road in 2007, it followed the same route as in 1965, when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled daily, weather permitting. Based upon my observation during the Time Period of My Experience, the Road was continuously used as a public thoroughfare by members of the public for public purposes whenever it was necessary and convenient for them to do so and I have never known the use of the road to have been interrupted by any means.

7. During the Time Period of My Experience I have personally traveled the Road by horseback, pickup truck and have observed others traveling the road in pick up trucks and oil field vehicles.

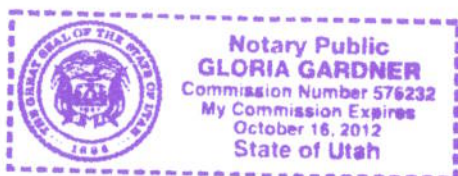
8. During the Time Period of My Experience I have personally used the Road for livestock operations, my work with Nutter Ranch, BLM, NRCS (Natural Resource Conservation Service) and the GIP (Grazing Improvement Program) and hunting, and have observed others use the Road for the same purposes, plus recreation.

DATED this 6th day of January, 2009.

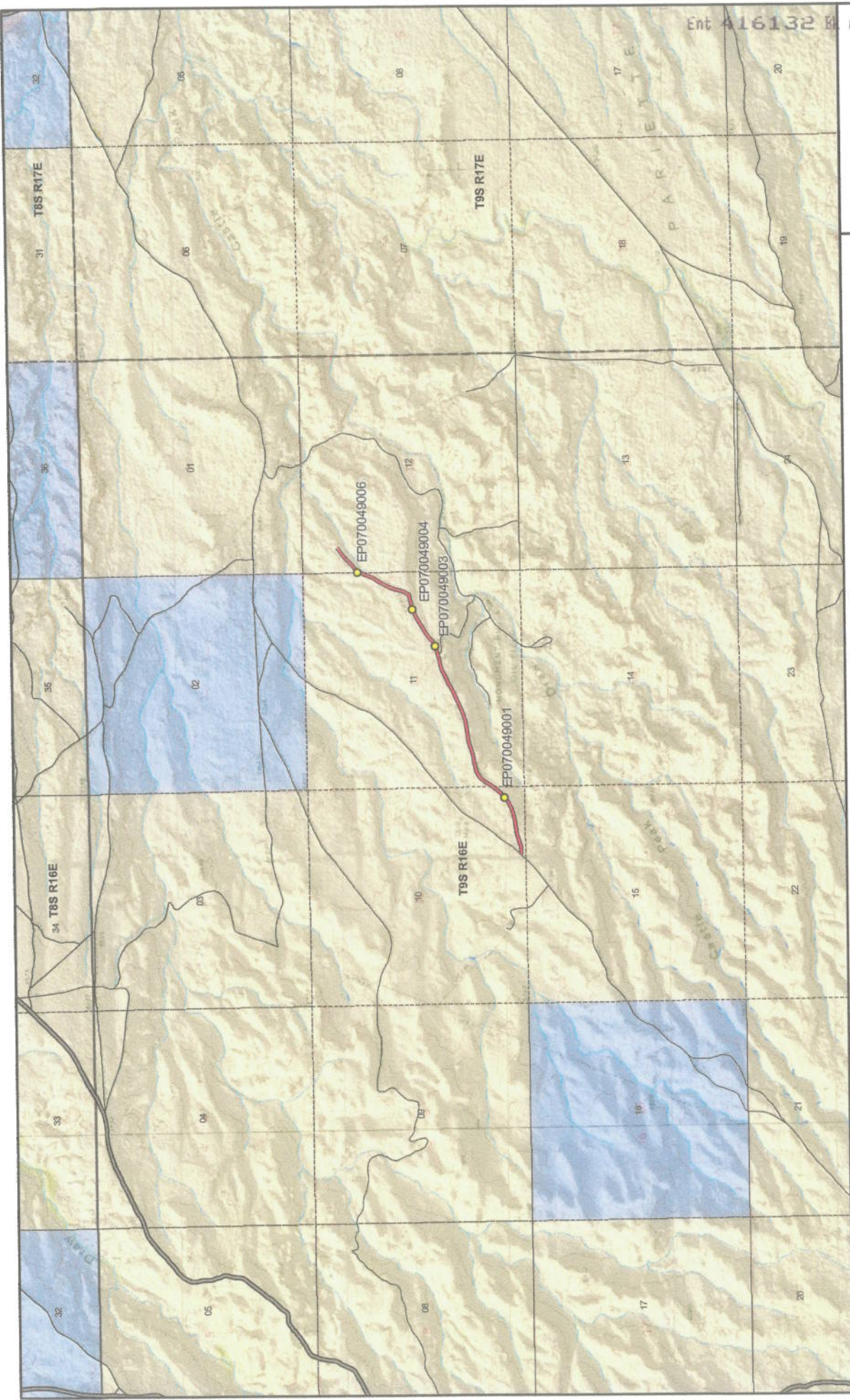
James L. Brown
JAMES L. BROWN

SUBSCRIBED AND SWORN to before me this 6th day of January, 2009.

Gloria Gardner
NOTARY PUBLIC



Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 6130 State Office Building
 Salt Lake City, Utah 84114
 Dec 04, 2008



Drumstick Road - Duchesne County
SGID RD_ID RD070049 CO_UNIQUE 535

Land Ownership Categories	Misc	Transportation Network
BLM	Photo Event Point	Drumstick Road
Private	Section = 1 Mile	Title V, Issued Or Under Consideration By BLM Or County
SITLA, State Trust Land		County B Road
USFS, National Forest		State / U.S. Highway
State Parks and Recreation		Other Roads
UDWR Wildlife Reserve		
Tribal		
Wilderness		

Scale
 1:38,443
 1 inch = 0.61 miles

**AFFIDAVIT OF LEON FILLINGIM
DRUMSTICK ROAD
DUCHESNE COUNTY, UTAH
DUCHESNE COUNTY D ROAD 535**

State of Utah)
 : ss.
County of Duchesne)

I, LEON FILLINGIM, testify and declare under oath as follows:

1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on May 21, 1938, in Vernal, Uintah County, Utah. I have lived in Duchesne County all of my life. I supervised the maintenance of Roads in Duchesne county as Superintendent of the County Road Department from 1988 to 1996. I was also a road grader operator from 1964 to 1988. During the time of my employment with Duchesne county I used heavy machinery to construct and grade roads in the summer and to open snowbound roads in the winter.

2. I have traveled and am familiar with Drumstick Road, Duchesne County Road 535 and the land it traverses.

3. I took the following steps to verify that the road I refer to in this affidavit as Drumstick Road and Duchesne County Road 535 (the “ Road”) are the same road:

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

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

c. I viewed ground photography and verified that it accurately depicts the Road I refer to in this affidavit.

4. I personally traveled the Road from the late 1940s and continuing until 2004, (“the Time Period of My Experience”). It is the reputation in the community that the Road was traveled as early as the early 1900s, prior to my earliest recollection.

5. When I last traveled and observed the Road in 2004, it followed the same route as in the late 1940s when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled daily, weather permitting. Based upon my observation during the Time Period of My Experience, the road was continuously used as a public thoroughfare by members of the public for public purposes whenever it was necessary and convenient for them to do so and I have never known the use of the Road to have been interrupted by any means.

7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and I have observed others from the general public travel the road by the same means plus livestock vehicles, cars and oil trucks.

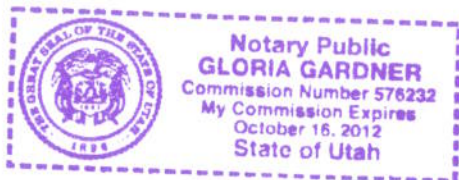
8. During the Time Period of My Experience I have personally used the Road for trapping and hunting, and I have observed others from the general public using the Road for the same purposes, plus livestock operations and oil and gas exploration.

9. Prior to 1976, I personally performed snow removal and maintenance activities on the road.

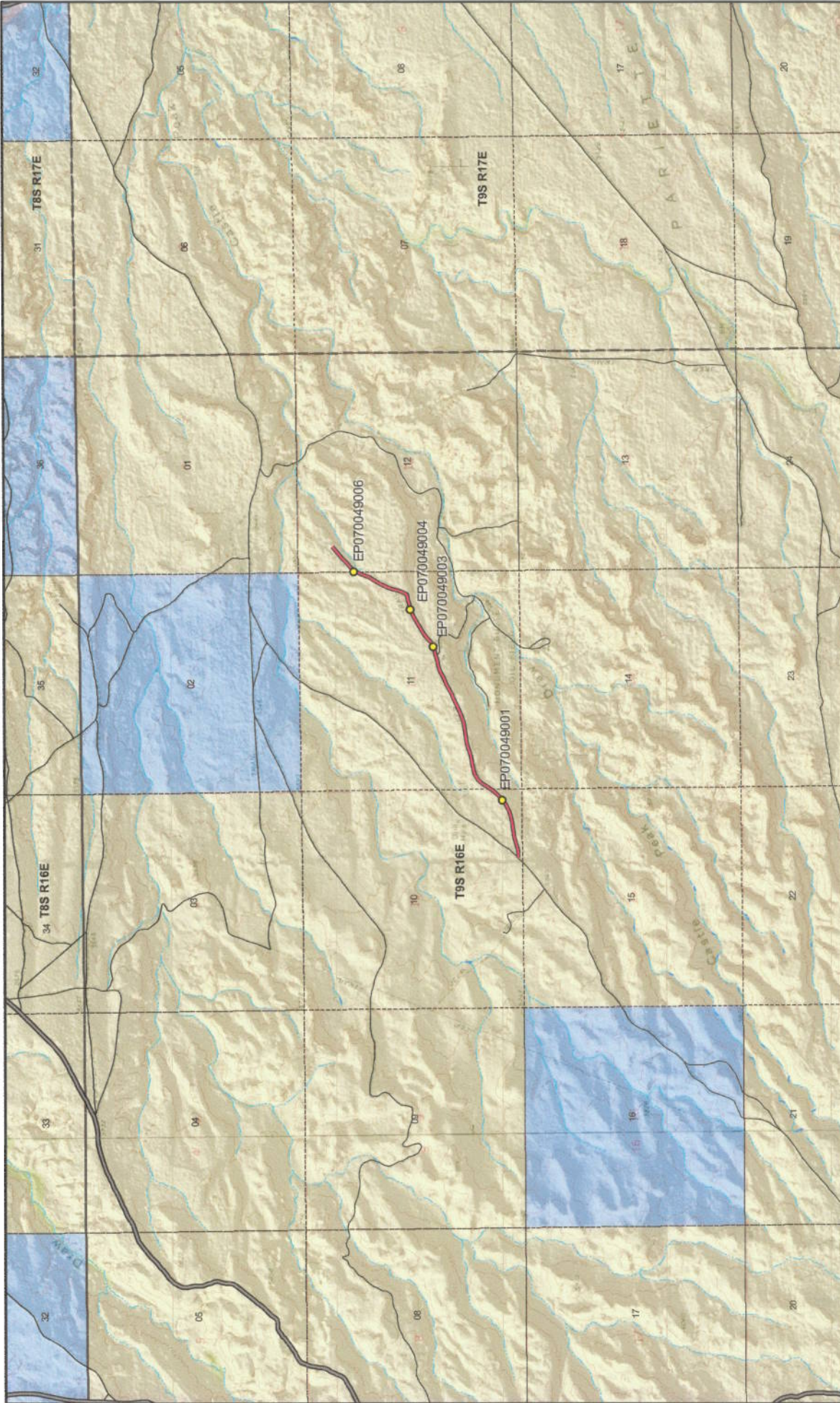
DATED this 6 day of January, 2009.

Leon Fillingim
LEON FILLINGIM

SUBSCRIBED AND SWORN to before me this 6th day of January, 2009.



Gloria Gardner
NOTARY PUBLIC



Drumstick Road - Duchesne County
SGID RD_ID RD070049 CO_UNIQUE 535

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- UDWR Wildlife Reserve
- Tribal
- Wilderness

Misc

- Photo Event Point
- Section = 1 Mile

Transportation Network

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

Scale
 1:38,443
 1 inch = 0.61 miles

Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Dec 04, 2008

Appendix A to Attachment 4

Popular Name: Drumstick Road

County: Duchesne

County Road Number: 535

State Geographic Information Database (SGID) Road Identification Number: RD070049.

Road-Segment Number: 001

Road-Segment Length: 1.75 miles more or less.

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

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

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

This road-segment may traverse:

Township 9 South Range 16 East, Section(s) 10,11,12, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Drumstick 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 02 minutes 18.45 seconds North Latitude and -110 degrees 06 minutes 06.85 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,031,839.0 feet and Y = 7,185,791.8 feet; thence the following courses along the said road center line:

thence South 64 Degrees 33 Minutes 22 Seconds East	52.3 feet
thence South 86 Degrees 19 Minutes 22 Seconds East	87.1 feet
thence North 72 Degrees 42 Minutes 54 Seconds East	88.7 feet
thence North 71 Degrees 37 Minutes 01 Seconds East	101.3 feet
thence North 71 Degrees 10 Minutes 08 Seconds East	114.1 feet
thence North 77 Degrees 35 Minutes 27 Seconds East	113.3 feet
thence North 84 Degrees 06 Minutes 46 Seconds East	60.9 feet
thence North 82 Degrees 39 Minutes 02 Seconds East	82.3 feet
thence North 80 Degrees 24 Minutes 31 Seconds East	132.6 feet
thence North 76 Degrees 57 Minutes 41 Seconds East	156.3 feet
thence North 73 Degrees 03 Minutes 39 Seconds East	161.3 feet

thence North 64 Degrees 47 Minutes 18 Seconds East 165 feet
 thence North 52 Degrees 35 Minutes 58 Seconds East 169.8 feet
 thence North 45 Degrees 21 Minutes 59 Seconds East 159.3 feet
 thence North 41 Degrees 14 Minutes 11 Seconds East 144 feet
 thence North 34 Degrees 43 Minutes 37 Seconds East 52.3 feet
 thence North 34 Degrees 44 Minutes 16 Seconds East 94.3 feet
 thence North 27 Degrees 48 Minutes 55 Seconds East 149.6 feet
 thence North 44 Degrees 49 Minutes 02 Seconds East 147.6 feet
 thence North 60 Degrees 11 Minutes 17 Seconds East 152.5 feet
 thence North 72 Degrees 34 Minutes 26 Seconds East 148.4 feet
 thence North 77 Degrees 47 Minutes 36 Seconds East 135.1 feet
 thence North 81 Degrees 05 Minutes 47 Seconds East 125.5 feet
 thence North 73 Degrees 24 Minutes 01 Seconds East 122.1 feet
 thence North 69 Degrees 17 Minutes 18 Seconds East 135.7 feet
 thence North 79 Degrees 52 Minutes 12 Seconds East 137.9 feet
 thence North 82 Degrees 29 Minutes 43 Seconds East 252.3 feet
 thence North 79 Degrees 59 Minutes 44 Seconds East 82.7 feet
 thence North 76 Degrees 59 Minutes 45 Seconds East 133.4 feet
 thence North 71 Degrees 21 Minutes 06 Seconds East 153.6 feet
 thence North 69 Degrees 36 Minutes 50 Seconds East 162.4 feet
 thence North 67 Degrees 44 Minutes 52 Seconds East 168 feet
 thence North 63 Degrees 29 Minutes 10 Seconds East 211.9 feet
 thence North 61 Degrees 41 Minutes 48 Seconds East 25.5 feet
 thence North 62 Degrees 34 Minutes 05 Seconds East 130.2 feet
 thence North 63 Degrees 13 Minutes 29 Seconds East 164 feet
 thence North 63 Degrees 34 Minutes 29 Seconds East 170.8 feet
 thence North 64 Degrees 34 Minutes 58 Seconds East 165.2 feet
 thence North 70 Degrees 56 Minutes 01 Seconds East 147.9 feet
 thence North 78 Degrees 20 Minutes 36 Seconds East 114.3 feet
 thence North 72 Degrees 26 Minutes 31 Seconds East 107.5 feet
 thence North 75 Degrees 02 Minutes 07 Seconds East 130.7 feet
 thence North 76 Degrees 05 Minutes 29 Seconds East 133.1 feet
 thence North 58 Degrees 34 Minutes 40 Seconds East 126.1 feet
 thence North 49 Degrees 10 Minutes 00 Seconds East 133 feet
 thence North 53 Degrees 19 Minutes 48 Seconds East 143.8 feet
 thence North 58 Degrees 08 Minutes 39 Seconds East 157.8 feet
 thence North 59 Degrees 49 Minutes 15 Seconds East 160 feet
 thence North 61 Degrees 49 Minutes 17 Seconds East 163.5 feet
 thence North 68 Degrees 16 Minutes 20 Seconds East 165 feet
 thence North 75 Degrees 37 Minutes 03 Seconds East 144.6 feet
 thence North 74 Degrees 52 Minutes 53 Seconds East 58.4 feet
 thence North 73 Degrees 43 Minutes 53 Seconds East 48.4 feet
 thence North 72 Degrees 32 Minutes 56 Seconds East 45.2 feet
 thence North 74 Degrees 27 Minutes 59 Seconds East 37.9 feet
 thence North 79 Degrees 28 Minutes 51 Seconds East 27.6 feet
 thence North 30 Degrees 27 Minutes 39 Seconds East 87.1 feet
 thence North 23 Degrees 16 Minutes 34 Seconds East 130.5 feet
 thence North 16 Degrees 47 Minutes 06 Seconds East 140.2 feet
 thence North 14 Degrees 23 Minutes 57 Seconds East 143.4 feet

thence North 30 Degrees 43 Minutes 24 Seconds East 145.7 feet
thence North 30 Degrees 15 Minutes 26 Seconds East 155.9 feet
thence North 29 Degrees 51 Minutes 20 Seconds East 166 feet
thence North 23 Degrees 15 Minutes 59 Seconds East 265.8 feet
thence North 18 Degrees 56 Minutes 59 Seconds East 15.7 feet
thence North 24 Degrees 25 Minutes 56 Seconds East 57.5 feet
thence North 24 Degrees 24 Minutes 01 Seconds East 39.2 feet
thence North 40 Degrees 52 Minutes 05 Seconds East 139.5 feet
thence North 47 Degrees 50 Minutes 13 Seconds East 161.5 feet
thence North 46 Degrees 28 Minutes 26 Seconds East 178.9 feet
thence North 48 Degrees 00 Minutes 36 Seconds East 92.7 feet
thence North 49 Degrees 50 Minutes 09 Seconds East 124 feet
thence North 49 Degrees 53 Minutes 23 Seconds East 111.5 feet
thence South 22 Degrees 36 Minutes 04 Seconds West 15 feet more or less to **the ending point**

at: 40 degrees 03 minutes 1.1 seconds North Latitude and -110 degrees 04 minutes 30.06 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,039,297.0 feet and Y = 7,190,224.8 feet.