

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

Ent 416117 Bk A571 Pg 435
Date: 17-JUN-2009 10:44AM
Fee: None
Filed By: CC
CAROLYNE MADSEN, Recorder
DUCHESNE COUNTY CORPORATION
For: STATE OF UTAH

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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Nelson Farm Road; County Road Number: 512; State Geographic Information Database (SGID) Road Identification Number: RD070075. Total road length is 1.48 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



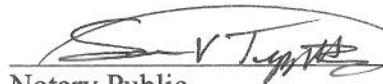
John Harja

CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

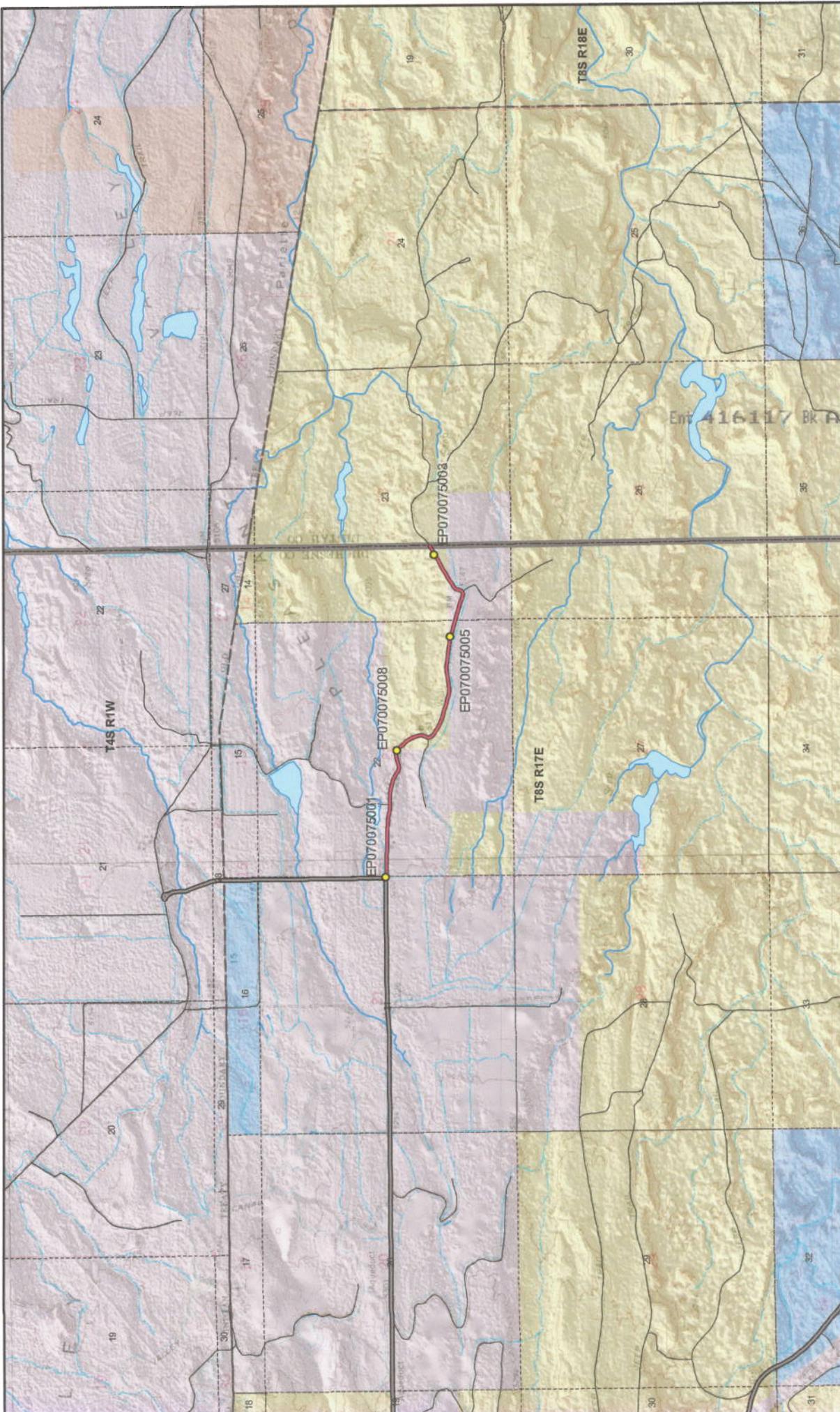
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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



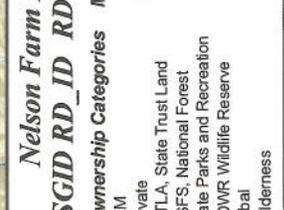
Notary Public





Nelson Farm Road - Duchesne County
SGID RD_ID RD070075 CO_UNIQUE 512

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





EP070075001



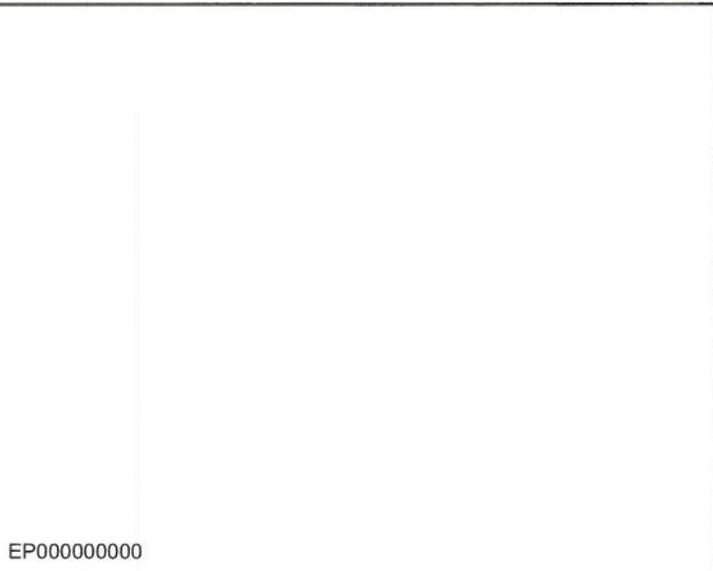
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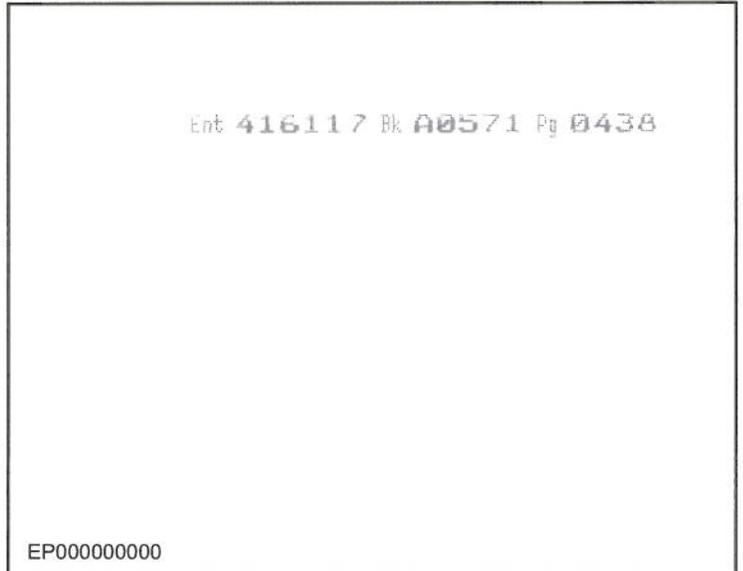
EP070075005



EP070075008



EP000000000



EP000000000

Nelson Farm Road - Duchesne County
SGID RD_ID RD070075

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: Nelson Farm Road

County: Duchesne

County Road Number: 512

State Geographic Information Database (SGID) Road Identification Number: RD070075.

Total Road Length: 1.48 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 06 minutes 12.43 seconds North Latitude and -110 degrees 00 minutes 07.06 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,059,420.2 feet and Y = 7,209,916.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 06 minutes 02.74 seconds North Latitude and -109 degrees 58 minutes 39.04 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,066,275.3 feet and Y = 7,209,051.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 8 South Range 17 East, Section(s) 21,22,23, Salt Lake Base & Meridian
See Attachment 1 above for a cartographic depiction of the course of this road.

Ent 416117 Bk A0571 Pg 0439

Attachment 4

Road Centerline Description Cover Page(s)

Popular Name: Nelson Farm Road

County: Duchesne

County Road Number: 512

State Geographic Information Database (SGID) Road Identification Number: RD070075.

Total Road Length: 1.48 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
RD070075	001	PVT	0.51 Miles	(not shown)
RD070075	002	BLM	0.33 Miles	A
RD070075	003	PVT	0.06 Miles	(not shown)
RD070075	004	BLM	0.11 Miles	B
RD070075	005	PVT	0.34 Miles	(not shown)
RD070075	006	BLM	0.14 Miles	C
		Total Road Length	1.48	—————

* 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
NELSON FARM ROAD
DUCHESNE COUNTY, UTAH
DUCHESNE COUNTY ROAD 512

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 Nelson Farm Road, Duchesne County Road 512, and the land it traverses.

3. I took the following steps to verify that the Road I refer to in this affidavit and Nelson Farm 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 homesteaders.

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. 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 pickup truck and have observed others traveling the road in pickup trucks and cars and livestock vehicles.

8. During the Time Period of My Experience I have personally used the Road for livestock operations, my work with 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 and livestock operations, farming and oil and gas exploration and development.

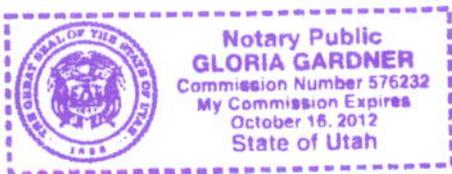
9. Prior to 1976, I observed the graded surface of the road and other evidence of maintenance such as berms along the side of the road.

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





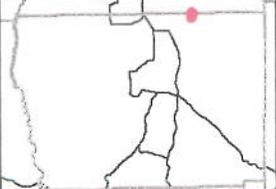
Ent 416117 Bk A0571 Pg 0444

Nelson Farm Road - Duchesne County SGID RD_ID RD070075 CO_UNIQUE 512

Land Ownership Categories	Misc	Transportation Network
BLM	Photo Event Point	Nelson Farm 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
1:33,029
1 inch = 0.52 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



**NELSON FARM ROAD
DUCHESNE COUNTY, UTAH
DUCHESNE COUNTY D ROAD 512**

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 Nelson Farm Road, Duchesne County Road 512 and the land it traverses.

3. I took the following steps to verify that the road I refer to in this affidavit as Nelson Farm Road and Duchesne County Road 512 (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 2008, ("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 2008, 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. 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 oil truck and I have observed others from the general public travel the road by the same means plus livestock vehicles, cars and oil field vehicles.

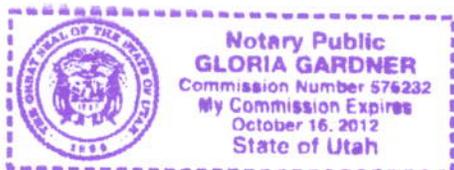
8. During the Time Period of My Experience I have personally used the Road for trapping and hunting, and oil field activities and I have observed others from the general public using the Road for the same purposes, plus livestock operations, residential access, farming and oil and gas exploration.

9. Prior to 1976, I personally graded this road and performed snow removal on this road.

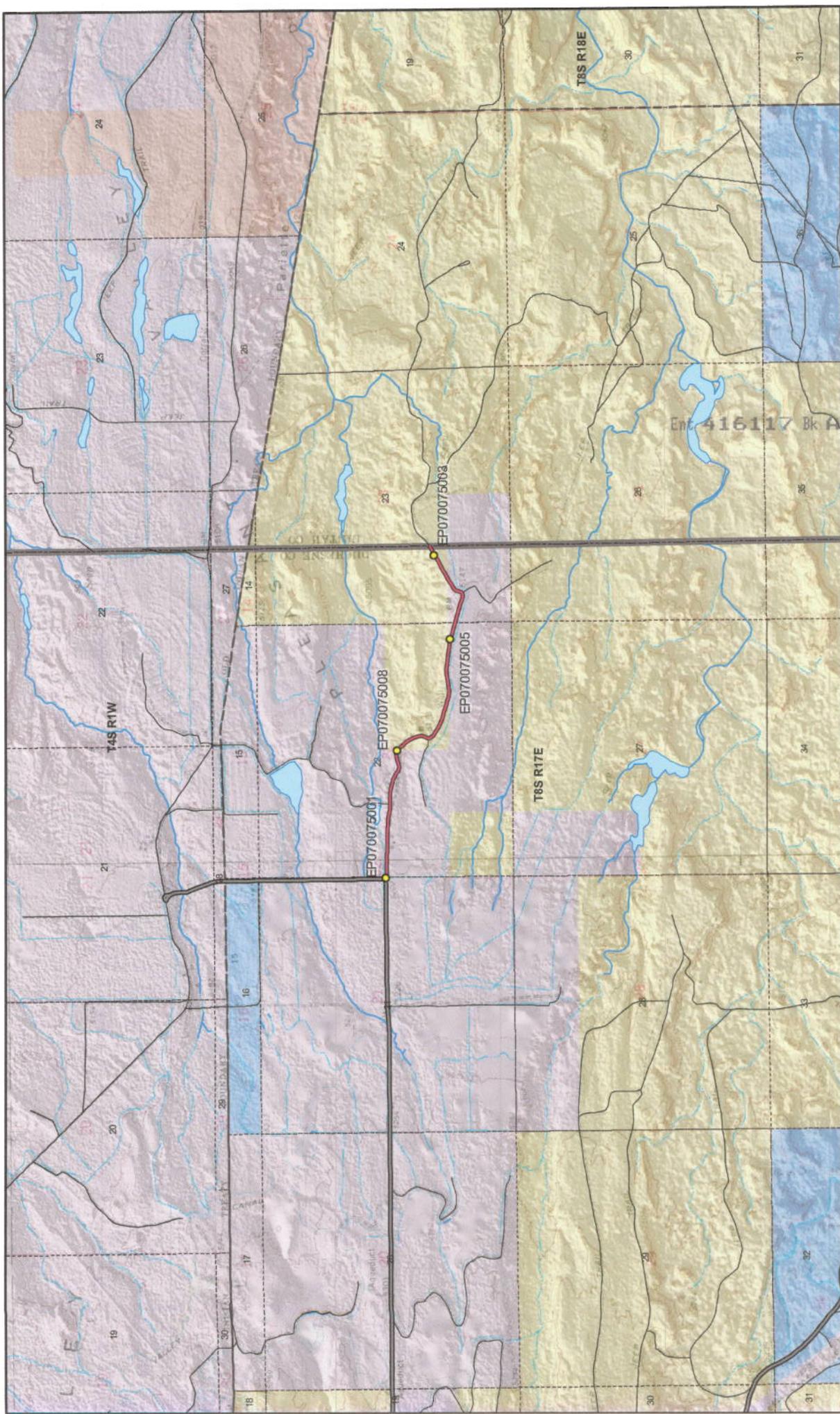
DATED this 6 day of January, 2009.

Leon Fillingim
LEON FILLINGIM

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



Gloria Gardner
NOTARY PUBLIC



Ent 416117 Bk A0571 Pg 0447

Nelson Farm Road - Duchesne County
SGID RD_ID RD070075 CO_UNIQUE 512

- | | |
|--|---|
|  BLM |  Nelson Farm Road |
|  Private |  Photo Event Point |
|  SITLA, State Trust Land |  Section = 1 Mile |
|  USFS, National Forest |  Title V: Issued Or Under Consideration By BLM Or County |
|  State Parks and Recreation |  County B Road |
|  UDWR Wildlife Reserve |  State / U.S. Highway |
|  Tribal |  Other Roads |
|  Wilderness | |

Land Ownership Categories

Transportation Network

Misc



Appendix A to Attachment 4

Popular Name: Nelson Farm Road

County: Duchesne

County Road Number: 512

State Geographic Information Database (SGID) Road Identification Number: RD070075.

Road-Segment Number: 002

Road-Segment Length: 0.33 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 8 South Range 17 East, Section(s) 22, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Nelson Farm Road)-- Segment 002 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 06 minutes 9.8 seconds North Latitude and -109 degrees 59 minutes 33.07 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,062,065.5 feet and Y = 7,209,693.6 feet; thence the following courses along the said road center line:

thence South 45 Degrees 03 Minutes 59 Seconds East 74.4 feet
thence South 43 Degrees 17 Minutes 49 Seconds East 88.2 feet
thence South 42 Degrees 15 Minutes 58 Seconds East 85.5 feet
thence South 33 Degrees 02 Minutes 03 Seconds East 84.2 feet
thence South 23 Degrees 14 Minutes 29 Seconds East 92.9 feet
thence South 24 Degrees 34 Minutes 30 Seconds East 89 feet
thence South 10 Degrees 57 Minutes 24 Seconds East 84.8 feet
thence South 19 Degrees 55 Minutes 40 Seconds West 75.6 feet
thence South 29 Degrees 14 Minutes 51 Seconds West 65.9 feet
thence South 08 Degrees 41 Minutes 58 Seconds East 54.7 feet
thence South 46 Degrees 42 Minutes 53 Seconds East 67.5 feet
thence South 56 Degrees 46 Minutes 22 Seconds East 82 feet

thence South 58 Degrees 09 Minutes 51 Seconds East 95 feet
thence South 59 Degrees 46 Minutes 41 Seconds East 100.8 feet
thence South 66 Degrees 16 Minutes 18 Seconds East 102.1 feet
thence South 74 Degrees 38 Minutes 03 Seconds East 90.3 feet
thence South 76 Degrees 37 Minutes 15 Seconds East 75 feet
thence South 76 Degrees 10 Minutes 23 Seconds East 80.8 feet
thence South 74 Degrees 20 Minutes 07 Seconds East 86.3 feet
thence South 72 Degrees 54 Minutes 58 Seconds East 84.5 feet
thence South 73 Degrees 37 Minutes 12 Seconds East 67.7 feet more or less to **the ending**

point at: 40 degrees 05 minutes 059.3 seconds North Latitude and -109 degrees 59 minutes 019.1 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,063,168.6 feet and Y = 7,208,649.8 feet.

Appendix B to Attachment 4

Popular Name: Nelson Farm Road

County: Duchesne

County Road Number: 512

State Geographic Information Database (SGID) Road Identification Number: RD070075.

Road-Segment Number: 004

Road-Segment Length: 0.11 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 8 South Range 17 East, Section(s) 22, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Nelson Farm Road)-- Segment 004 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 05 minutes 59.29 seconds North Latitude and -109 degrees 59 minutes 15.38 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,063,458.0 feet and Y = 7,208,653.9 feet; thence the following courses along the said road center line:

thence North 78 Degrees 23 Minutes 26 Seconds East 63.5 feet

thence North 80 Degrees 06 Minutes 26 Seconds East 84.2 feet

thence North 83 Degrees 05 Minutes 28 Seconds East 70.9 feet

thence North 88 Degrees 51 Minutes 33 Seconds East 86.7 feet

thence South 85 Degrees 46 Minutes 08 Seconds East 102.6 feet

thence South 83 Degrees 07 Minutes 05 Seconds East 107.9 feet

thence South 82 Degrees 38 Minutes 16 Seconds East 69.5 feet more or less to **the ending**

point at: 40 degrees 05 minutes 59.27 seconds North Latitude and -109 degrees 59 minutes 7.9 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,064,038.7 feet and Y = 7,208,662.0 feet.

Appendix C to Attachment 4

Popular Name: Nelson Farm Road

County: Duchesne

County Road Number: 512

State Geographic Information Database (SGID) Road Identification Number: RD070075.

Road-Segment Number: 006

Road-Segment Length: 0.14 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 8 South Range 17 East, Section(s) 23, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Nelson Farm Road)-- Segment 006 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 05 minutes 59.24 seconds North Latitude and -109 degrees 58 minutes 47.46 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,065,626.6 feet and Y = 7,208,685.6 feet; thence the following courses along the said road center line:

thence North 59 Degrees 56 Minutes 42 Seconds East 69.5 feet
thence North 59 Degrees 44 Minutes 13 Seconds East 90.3 feet
thence North 61 Degrees 00 Minutes 48 Seconds East 105.9 feet
thence North 60 Degrees 27 Minutes 43 Seconds East 114.9 feet
thence North 60 Degrees 34 Minutes 58 Seconds East 115.8 feet
thence North 61 Degrees 54 Minutes 43 Seconds East 109.4 feet
thence North 61 Degrees 21 Minutes 18 Seconds East 106.4 feet
thence North 56 Degrees 35 Minutes 12 Seconds East 32.5 feet more or less to **the ending**

point at: 40 degrees 06 minutes 02.74 seconds North Latitude and -109 degrees 58 minutes 39.04 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,066,275.3 feet and Y = 7,209,051.1 feet.