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Ent 390392 Page 1 of 13
Date: 07-MAY-2008 12:15PM
Fee: None
Filed By: DKS
DIXIE SWASEY, Recorder
EMERY COUNTY CORPORATION
For: GOVERNOR/STATE OF UTAH

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Emery County as it pertains to the highway located in Emery County known as EAST MOLEN SEEP WASH ROAD; County Road Number: 707; State Geographic Information Database (SGID) Road Identification Number: RD080514. Total road length is 2.05 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 21st day of APRIL, 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.

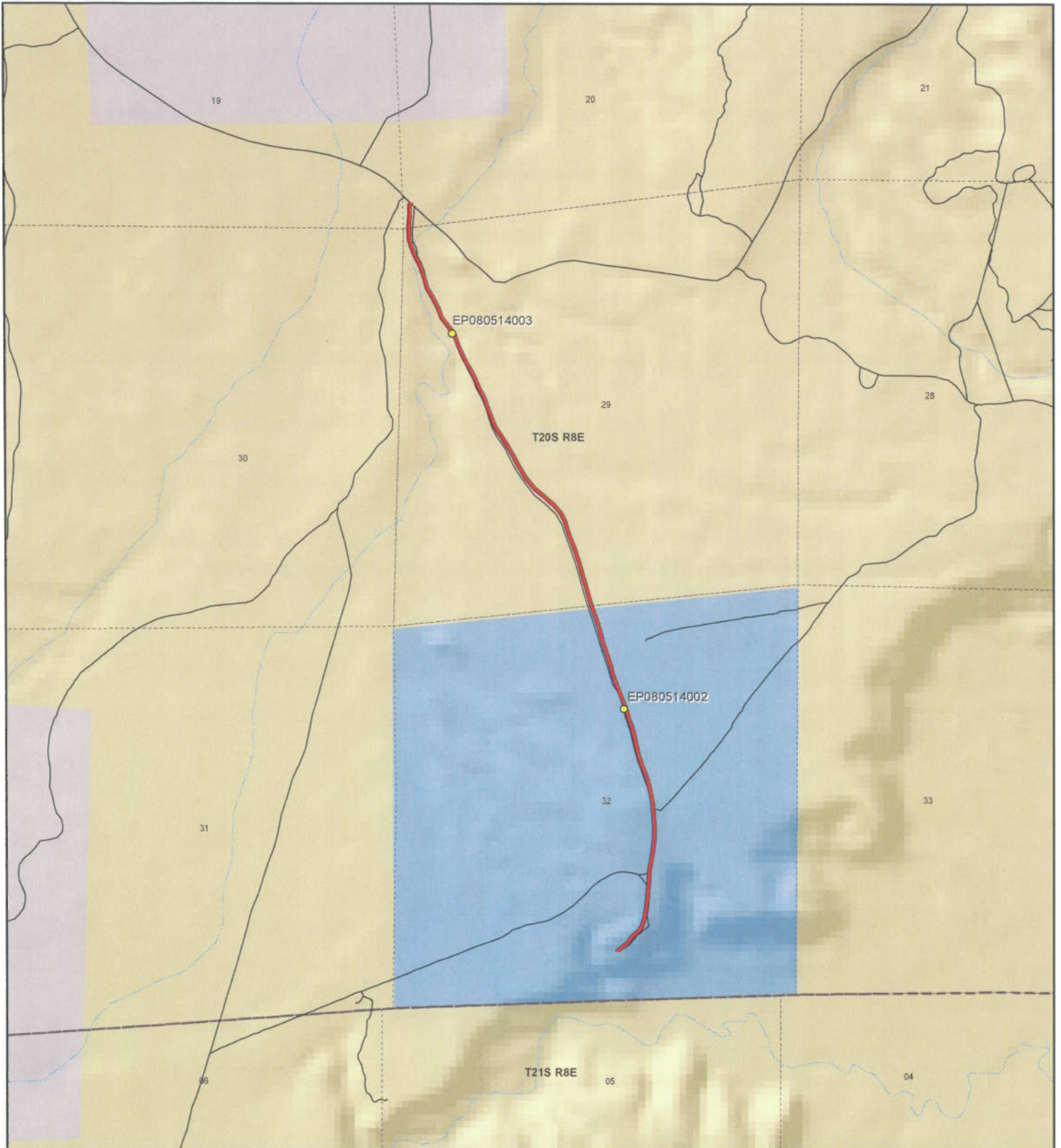
Dated this 21st day of April, 2008.





Notary Public

Attachment 1



 <p>1:20,666 1 inch equals 0.3 miles</p>		<p style="text-align: center;">EAST MOLEN SEEP WASH ROAD - Emery County SGID RD_ID RD080514</p> <table border="0"> <tr> <td>Land Ownership Categories</td> <td></td> <td>Transportation Network</td> </tr> <tr> <td> <ul style="list-style-type: none"> ● BLM ● Private ● SITLA, State Trust Land ● USFS, National Forest ● State Parks and Recreation ● Tribal, Indian Reservation ● NPS, National Park </td> <td> <ul style="list-style-type: none"> ◆ Wilderness ◆ UDWR Wildlife Reserve ◆ DOD, Military ◆ State Sovereign Land ◆ National Recreation Area ◆ USFWS, Natl. Wildlife Refuge </td> <td> <ul style="list-style-type: none"> — EAST MOLEN SEEP WASH RD — Title V: Issued Or Under Consideration By BLM Or County — Other Roads ● Photo Event Point Section = 1 Mile </td> </tr> </table>	Land Ownership Categories		Transportation Network	<ul style="list-style-type: none"> ● BLM ● Private ● SITLA, State Trust Land ● USFS, National Forest ● State Parks and Recreation ● Tribal, Indian Reservation ● NPS, National Park 	<ul style="list-style-type: none"> ◆ Wilderness ◆ UDWR Wildlife Reserve ◆ DOD, Military ◆ State Sovereign Land ◆ National Recreation Area ◆ USFWS, Natl. Wildlife Refuge 	<ul style="list-style-type: none"> — EAST MOLEN SEEP WASH RD — Title V: Issued Or Under Consideration By BLM Or County — Other Roads ● Photo Event Point Section = 1 Mile 	<p>Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 Jan 31, 2008</p>  
Land Ownership Categories		Transportation Network							
<ul style="list-style-type: none"> ● BLM ● Private ● SITLA, State Trust Land ● USFS, National Forest ● State Parks and Recreation ● Tribal, Indian Reservation ● NPS, National Park 	<ul style="list-style-type: none"> ◆ Wilderness ◆ UDWR Wildlife Reserve ◆ DOD, Military ◆ State Sovereign Land ◆ National Recreation Area ◆ USFWS, Natl. Wildlife Refuge 	<ul style="list-style-type: none"> — EAST MOLEN SEEP WASH RD — Title V: Issued Or Under Consideration By BLM Or County — Other Roads ● Photo Event Point Section = 1 Mile 							

Attachment 2



EP080514002



EP080514003

EP000000000

EP000000000

EP000000000

EP000000000

EAST MOLEN SEEP WASH ROAD - Emery County
SGID RD_ID RD080514



Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
February 1, 2008



Attachment 3

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

Popular Name: EAST MOLEN SEEP WASH ROAD

County: Emery

County Road Number: 707

State Geographic Information Database (SGID) Road Identification Number: RD080514.

Total Road Length: 2.05 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 01 minutes 58.27 seconds North Latitude and -111 degrees 02 minutes 43.16 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,769,578.4 feet and Y = 6,816,788.9 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 03 minutes 35.94 seconds North Latitude and -111 degrees 03 minutes 17.87 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,766,790.6 feet and Y = 6,826,656.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 20 South Range 8 East, Section(s) 20,29,32, 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: EAST MOLEN SEEP WASH ROAD

County: Emery

County Road Number: 707

State Geographic Information Database (SGID) Road Identification Number: RD080514.

Total Road Length: 2.05 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
RD080514	001	ST	0.91 Miles	(not shown)
RD080514	002	BLM	1.14 Miles	A
		Total Road Length	2.05	_____

* 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 E. JAMES NIELSEN

EAST MOLEN SEEP WASH ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 707

State of Utah)
 : ss.
County of Emery)

E. JAMES NIELSEN, 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 Clawson, Emery County, Utah. I have lived in Emery County my entire life. I have been employed as the supervisor of the Emery County Weed and Mosquito Department since 1980.

2. I have traveled and am familiar with a road in Emery County known as East Molen Seep Wash Road. I am also familiar with the land the road traverses. When I first used and observed the road in the mid 1950s, it followed the same route as in 2007 when I last observed it. Attached is an Emery County map showing East Molen Seep Wash 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 mid 1950s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by means of pickup trucks, cars, horses, and ATVs. Throughout the time period, the road has been used weekly for more than ten continuous years prior to 1976 and is presently used weekly.

5. Throughout the time period from the mid 1950s to 2007, I have used the road

myself for county weed and mosquito control, recreation, plant surveys, hunting, rock hounding and traveling in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus livestock operations, rock excavation, wood gathering and government access.

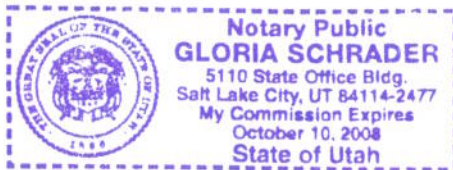
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 7 day of March, 2007.


E. JAMES NIELSEN

SUBSCRIBED AND SWORN to before me this 7th day of March, 2007.




NOTARY PUBLIC

Road #707 East Molen Seep Wash

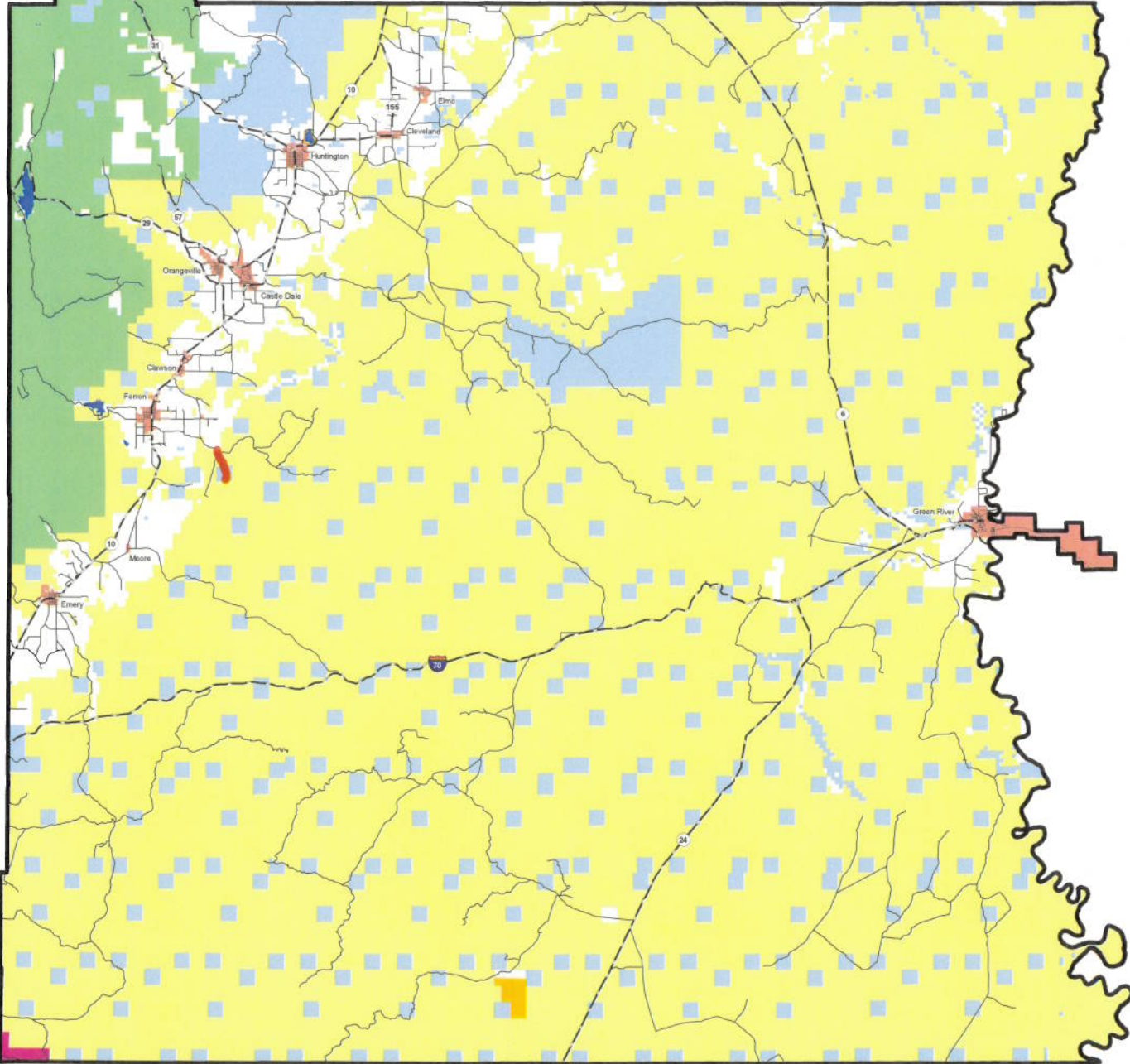
 East Molen Seep Wash

 Highway/Interstate

 B Class Road



- | | | | |
|--|---|---|---|
|  BLM |  State |  NPS |  Water |
|  USFS |  Private |  USP |  City Boundary |



AFFIDAVIT OF MERRILL DUNCAN
EAST MOLEN SEEP WASH ROAD
EMERY COUNTY, UTAH
ROAD NUMBER 707

State of Utah)
 : ss.
County of Emery)

MERRILL DUNCAN, 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 Molen, Emery County, Utah. I have lived in Emery County since 1956.

2. I have traveled and am familiar with a road in Emery County known as East Molen Seep Wash Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1956 it followed the same route as in 2007 when I last observed it. Attached is a Emery County map showing the East Molen Seep Wash 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 early 1956 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and is presently used daily.

5. Throughout the time period from the early 1956 to 2007, I have used the road myself for the following uses: livestock operations, water hauling, hunting, construction and maintenance of water collection basins for livestock and traveling in and through the area.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: oil and gas exploration, wood gathering, mining and recreation.

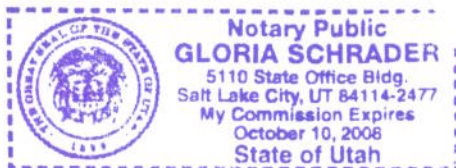
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally observed graders performing maintenance and construction activities on the road. I personally performed construction work on the road, including culvert work and repairing washouts.

DATED this 6 day of March, 2007.

Merrill Duncan
MERRILL DUNCAN

SUBSCRIBED AND SWORN to before me this 6th day of March, 2007.



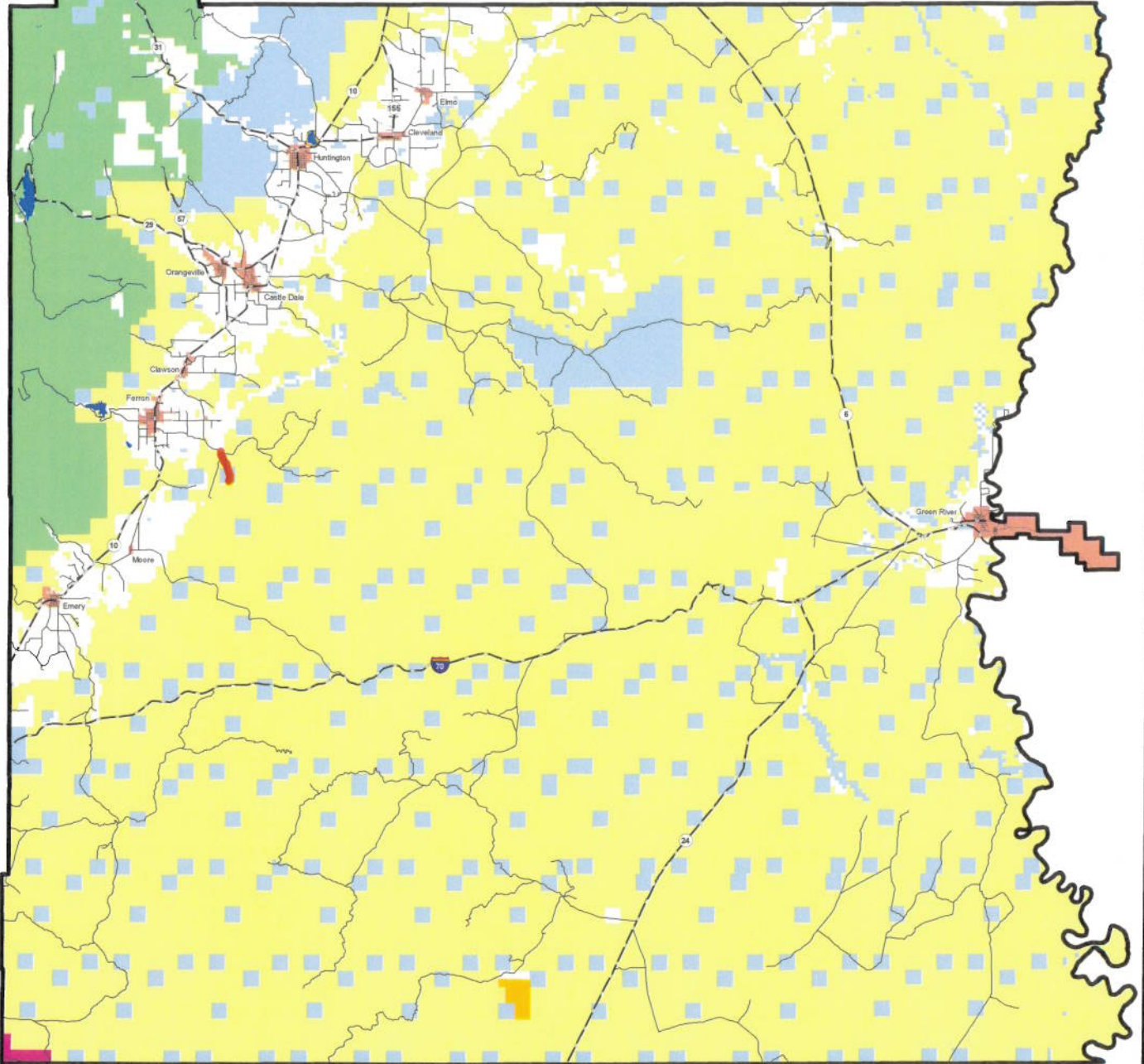
Gloria Schrader
NOTARY PUBLIC

Road #707 East Molen Seep Wash

-  East Molen Seep Wash
-  Highway/Interstate
-  B Class Road



- | | | | |
|--|--|---|---|
|  BLM |  State |  NPS |  Water |
|  USFS |  Private |  USP |  City Boundary |



Appendix A to Attachment 4

Popular Name: EAST MOLEN SEEP WASH ROAD

County: Emery

County Road Number: 707

State Geographic Information Database (SGID) Road Identification Number: RD080514.

Road-Segment Number: 002

Road-Segment Length: 1.14 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 20 South Range 8 East, Section(s) 20,29, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (EAST MOLEN SEEP WASH 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 39 degrees 02 minutes 43.09 seconds North Latitude and -111 degrees 02 minutes 047.5 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,769,213.0 feet and Y = 6,821,322.2 feet; thence the following courses along the said road center line:

thence North 18 Degrees 05 Minutes 28 Seconds West 26.9 feet
thence North 18 Degrees 16 Minutes 15 Seconds West 135.2 feet
thence North 17 Degrees 00 Minutes 28 Seconds West 160 feet
thence North 16 Degrees 22 Minutes 29 Seconds West 165 feet
thence North 15 Degrees 34 Minutes 29 Seconds West 168.4 feet
thence North 18 Degrees 43 Minutes 16 Seconds West 177.8 feet
thence North 21 Degrees 44 Minutes 24 Seconds West 183.3 feet
thence North 18 Degrees 27 Minutes 41 Seconds West 162.3 feet
thence North 23 Degrees 37 Minutes 43 Seconds West 134.4 feet
thence North 41 Degrees 33 Minutes 12 Seconds West 148.4 feet
thence North 50 Degrees 24 Minutes 30 Seconds West 159.6 feet

thence North 52 Degrees 06 Minutes 24 Seconds West 170.8 feet
 thence North 39 Degrees 57 Minutes 17 Seconds West 183.7 feet
 thence North 31 Degrees 27 Minutes 18 Seconds West 187.9 feet
 thence North 29 Degrees 30 Minutes 14 Seconds West 183.1 feet
 thence North 29 Degrees 49 Minutes 29 Seconds West 145.9 feet
 thence North 33 Degrees 43 Minutes 39 Seconds West 147.8 feet
 thence North 34 Degrees 55 Minutes 31 Seconds West 119.6 feet
 thence North 22 Degrees 58 Minutes 50 Seconds West 105.6 feet
 thence North 19 Degrees 23 Minutes 30 Seconds West 158.7 feet
 thence North 19 Degrees 00 Minutes 08 Seconds West 168 feet
 thence North 30 Degrees 12 Minutes 22 Seconds West 131.7 feet
 thence North 24 Degrees 25 Minutes 44 Seconds West 130.2 feet
 thence North 26 Degrees 42 Minutes 14 Seconds West 139.6 feet
 thence North 30 Degrees 12 Minutes 57 Seconds West 154.1 feet
 thence North 22 Degrees 53 Minutes 17 Seconds West 168.5 feet
 thence North 21 Degrees 54 Minutes 32 Seconds West 181.1 feet
 thence North 35 Degrees 06 Minutes 12 Seconds West 147.9 feet
 thence North 38 Degrees 22 Minutes 18 Seconds West 130.5 feet
 thence North 18 Degrees 11 Minutes 39 Seconds West 137.9 feet
 thence North 29 Degrees 39 Minutes 52 Seconds West 157.4 feet
 thence North 30 Degrees 11 Minutes 53 Seconds West 139.7 feet
 thence North 15 Degrees 50 Minutes 13 Seconds West 150.9 feet
 thence North 18 Degrees 49 Minutes 43 Seconds West 160.3 feet
 thence North 27 Degrees 59 Minutes 30 Seconds West 151.9 feet
 thence North 21 Degrees 16 Minutes 09 Seconds West 123 feet
 thence North 18 Degrees 03 Minutes 51 Seconds West 103.4 feet
 thence North 01 Degrees 48 Minutes 50 Seconds West 151 feet
 thence North 00 Degrees 19 Minutes 10 Seconds West 4.6 feet
 thence North 03 Degrees 39 Minutes 38 Seconds East 165.5 feet
 thence North 01 Degrees 16 Minutes 31 Seconds East 129.7 feet
 thence North 19 Degrees 23 Minutes 17 Seconds East 23.4 feet
 thence North 19 Degrees 20 Minutes 02 Seconds East 19.5 feet more or less to **the ending**

point at: 39 degrees 03 minutes 35.94 seconds North Latitude and -111 degrees 03 minutes 17.87 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,766,790.6 feet and Y = 6,826,656.9 feet.