

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

Ent 106896 Bk 127 Pg 295
Date: 16-JUN-2008 10:41AM
Fee: None
Filed By: RC
SHANE A. MILLETT, Recorder
PIUTE COUNTY CORPORATION
For: GOVERNOR OF THE 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Piute County as it pertains to the highway located in Piute County known as DRY CREEK ROAD; County Road Number: PCRD18; State Geographic Information Database (SGID) Road Identification Number: RD160018. Total road length is 8.7 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 12th day of June, 2008.

By the Governor's Designee

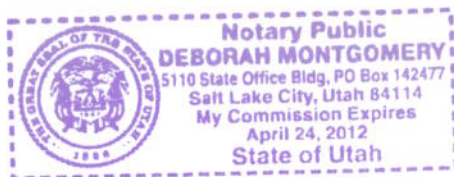
John Harja

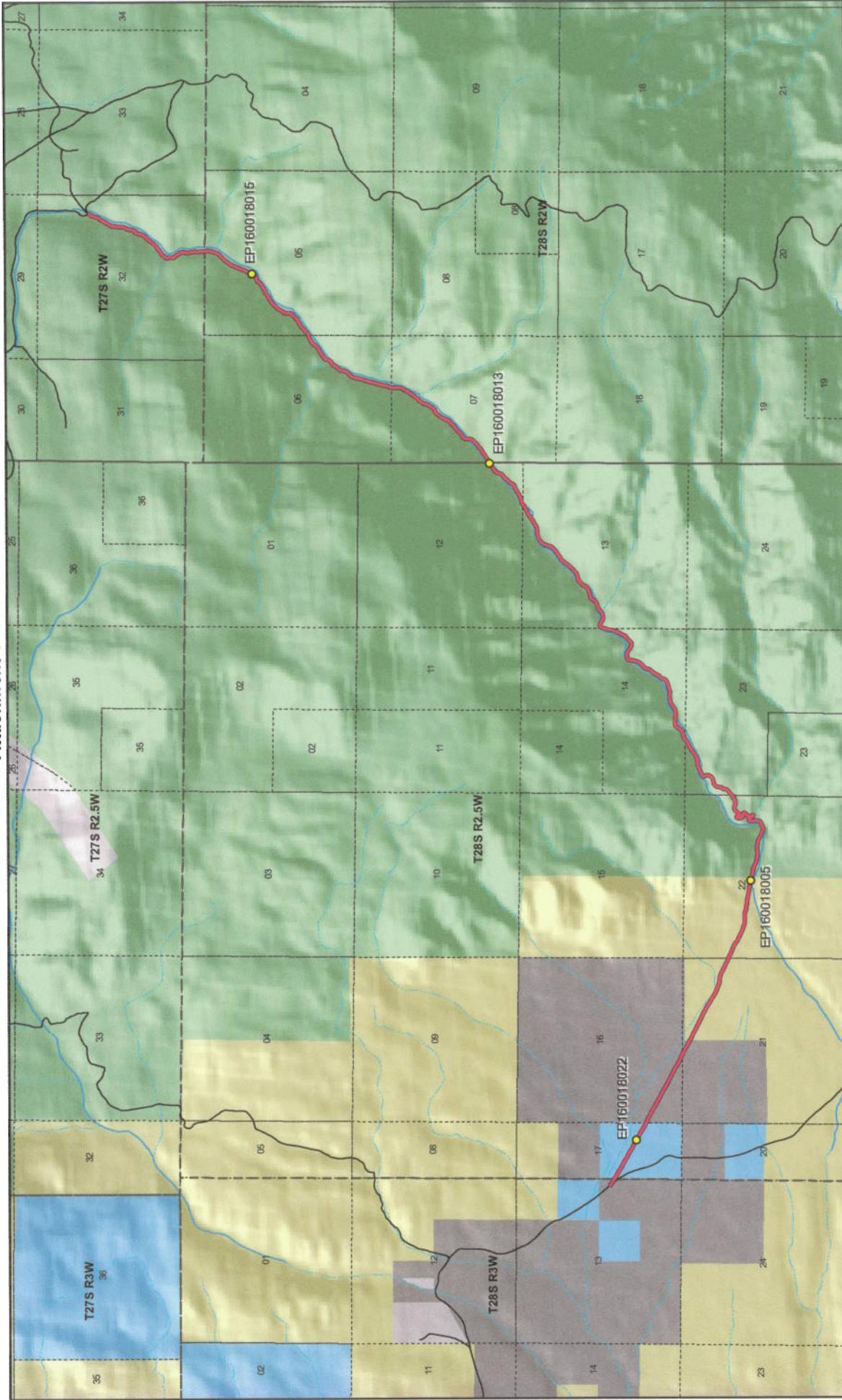
CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

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

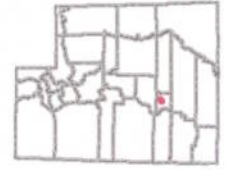
Dated this 12 day of June, 2008.

Notary Public



DRY CREEK ROAD - Piute County
SGID RD_ID RD160018

- Land Ownership Categories**
- BLM
 - Private
 - SITLA, State Trust Land
 - USFS, National Forest
 - State Parks and Recreation
 - Tribal, Indian Reservation
 - NPS, National Park
 - Wilderness
 - UDWR Wildlife Reserve
 - DOD, Military
 - State Sovereign Land
 - National Recreation Area
 - USFWS, Natl. Wildlife Refuge
- Transportation Network**
- DRY CREEK ROAD
 - Other Roads
 - Title V, Issued Or Under Consideration By BLM Or County
 - Photo Event Point
 - Section = 1 Mile



1:50,925
 1 inch equals 0.8 miles

Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Jun 10, 2008

Attachment 2



EP160018005



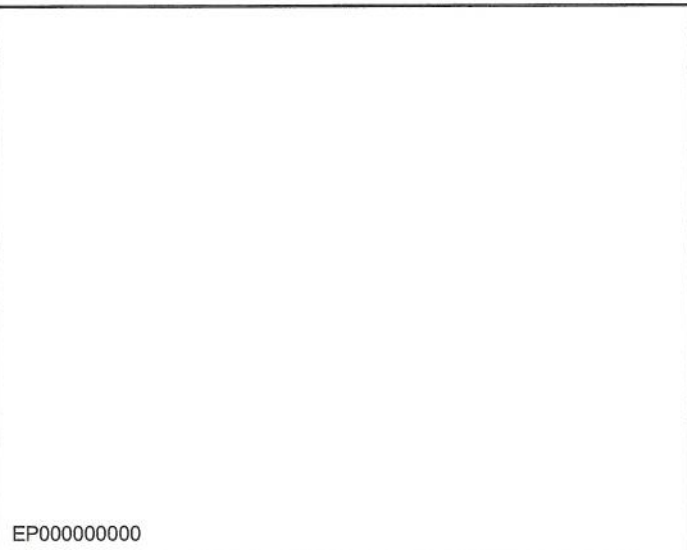
EP160018013



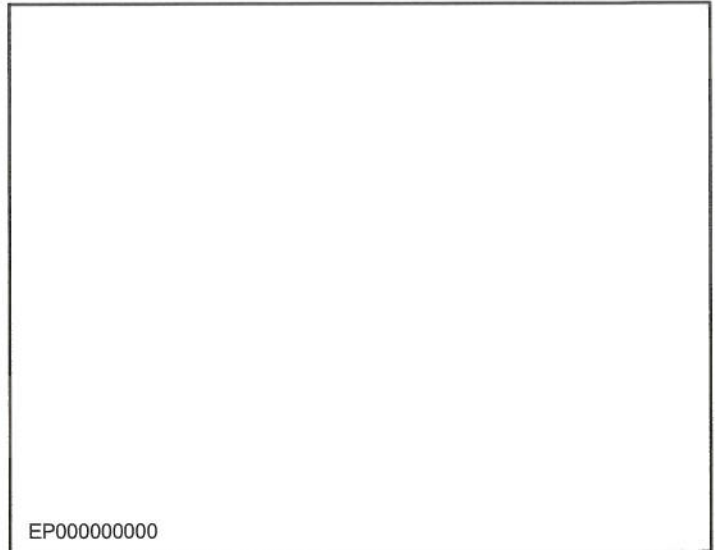
EP160018015



EP160018022



EP000000000



EP000000000

DRY CREEK ROAD - Piute County
SGID RD_ID RD160018

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
July 18, 2007



Attachment 3

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

Popular Name: DRY CREEK ROAD

County: Piute

County Road Number: PCRD18

State Geographic Information Database (SGID) Road Identification Number: RD160018.

Total Road Length: 8.7 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 22 minutes 31.93 seconds North Latitude and -112 degrees 08 minutes 32.04 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,456,297.1 feet and Y = 10,465,383.9 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 25 minutes 19.15 seconds North Latitude and -112 degrees 02 minutes 03.82 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,487,308.8 feet and Y = 10,482,105.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 27 South Range 2 West, Section(s) 32, Salt Lake Base & Meridian

Township 28 South Range 2.5 West, Section(s) 12,13,14,16,17,21,22,23, Salt Lake Base & Meridian

Township 28 South Range 2 West, Section(s) 5,6,7, Salt Lake Base & Meridian

Township 28 South Range 3 West, Section(s) 13, 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: DRY CREEK ROAD

County: Piute

County Road Number: PCRD18

State Geographic Information Database (SGID) Road Identification Number: RD160018.

Total Road Length: 8.7 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
RD160018	001	ST	1.01 Miles	(not shown)
RD160018	002	BLM	1.07 Miles	A
RD160018	003	FS	6.62 Miles	†(pending)
		Total Road Length	8.7	_____

* 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 A. KEITH BARBEN

DRY CREEK ROAD

PIUTE COUNTY, UTAH

ROAD NUMBER PCRD18

State of Utah)
 : ss.
County of Piute)

A. KEITH BARBEN, 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 Piute County, Utah. I have lived in Piute County for 68 years.

2. I have traveled and am familiar with a road in Piute County known as Dry Creek 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 2008 when I last observed it. Attached is a Piute County map showing Dry Creek 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 1960s and continuing through 1976 to 2008. Throughout this time period I have observed travel on the road by various means, including trucks, recreational vehicles and pickup trucks. Throughout this time period, the road has been used daily, weather permitting since the early 1960s, and was so used in 2008.

5. Throughout the time period from the early 1960s to 2008, I have used the road myself for the following uses: recreation, wood gathering, timber operations, Christmas tree

cutting, fishing, sight seeing, hunting 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: mining, trapping, tourism and livestock operations.

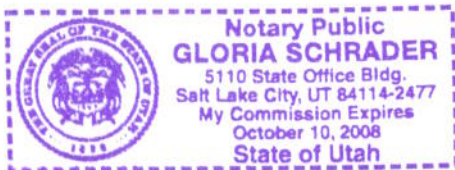
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

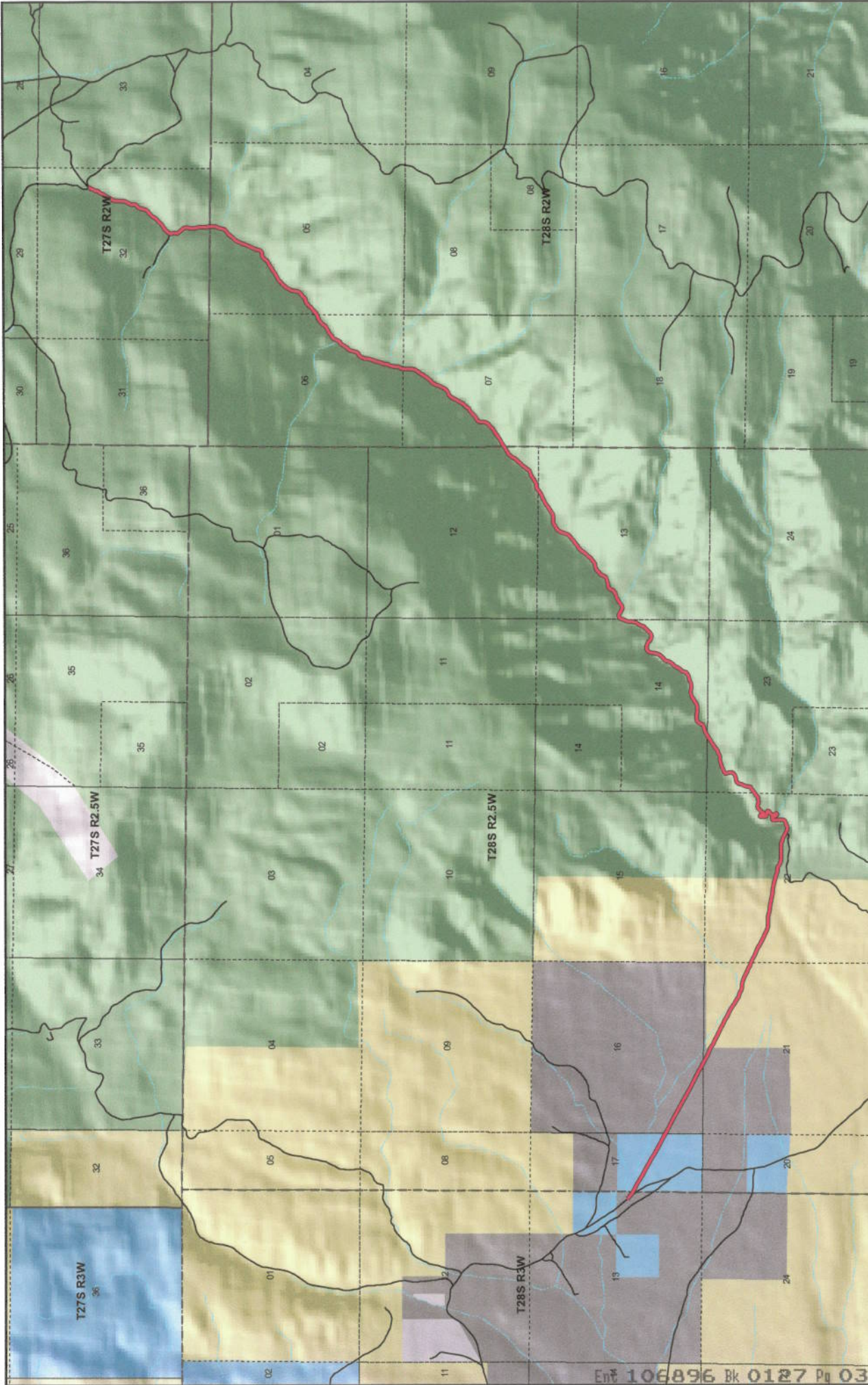
DATED this 20th day of May, 2008.


A. KEITH BARBEN

SUBSCRIBED AND SWORN to before me this 20th day of May, 2008.




NOTARY PUBLIC



Piute County
DRY CREEK ROAD
County Unique - PCRD18

Misc
 O City / Town
 Municipalities
 Section = 1 Mile

Land Ownership Categories
 BLM
 Private
 SITLA, State Trust Land
 USFS, National Forest
 Wildlife Reserve

Transportation Network
 DRY CREEK ROAD
 State / U.S. Highway
 Local Roads

1:48,618
 1 inch equals 0.8 miles

Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5100 State Office Building
 Salt Lake City, Utah 84114
 May 07, 2009

Ent 106896 Bk 0127 Pg 0304

AFFIDAVIT OF DELL NIELSEN

DRY CREEK ROAD

PIUTE COUNTY, UTAH

ROAD NUMBER PCRD18

State of Utah)
 : ss.
County of Piute)

DELL 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 Piute County, Utah. I have lived in Piute County for 53 years.

2. I have traveled and am familiar with a road in Piute County known as Dry Creek Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950s, it followed the same route as in 2008 when I last observed it. Attached is a Piute County map showing Dry Creek 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 1950s and continuing through 1976 to 2008. 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 was used daily in 2008.

5. Throughout the time period from the early 1950s to 2008, I have used the road

myself for the following uses: prospecting for minerals, fishing, trapping, wood gathering, recreation, hunting 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: livestock operations and government access.

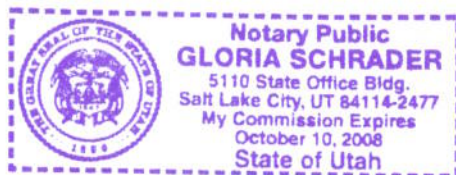
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

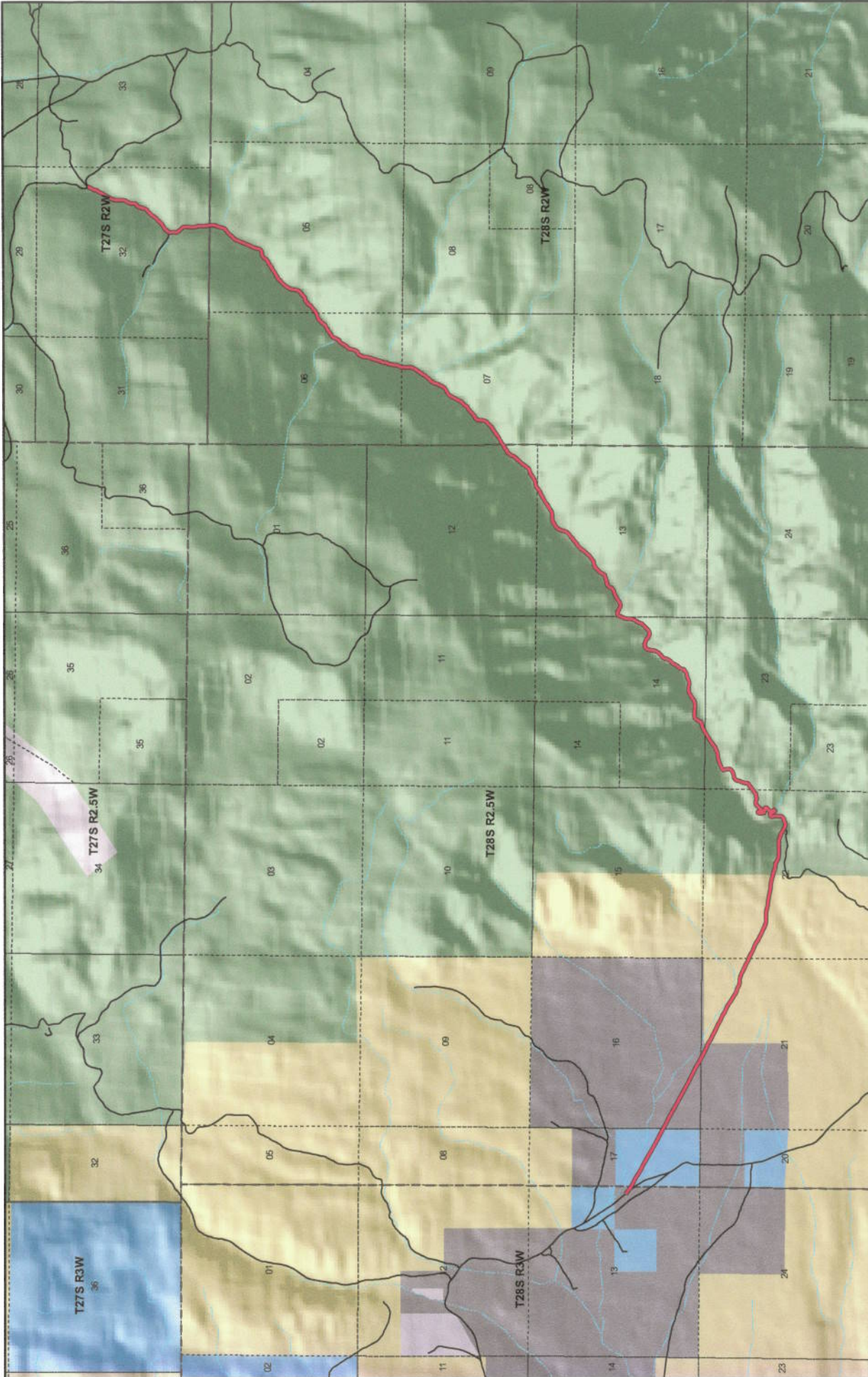
DATED this 20th ²⁴ day of May, 2008.


DELL NIELSEN

SUBSCRIBED AND SWORN to before me this 20th day of May, 2008.




NOTARY PUBLIC



1:48,618
1 inch equals 0.9 miles

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5150 State Office Building
Salt Lake City, Utah 84114
May 07, 2008




Piute County DRY CREEK ROAD County Unique - PCRD18

Land Ownership Categories

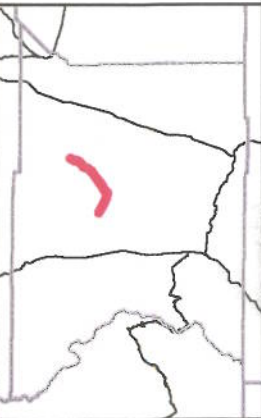
- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve

Misc

- City / Town
- Municipalities
- Section = 1 Mile

Transportation Network

- DRY CREEK ROAD
- State / U.S. Highway
- Local Roads



Appendix A to Attachment 4

Popular Name: DRY CREEK ROAD

County: Piute

County Road Number: PCRD18

State Geographic Information Database (SGID) Road Identification Number: RD160018.

Road-Segment Number: 002

Road-Segment Length: 1.07 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 28 South Range 2.5 West, Section(s) 21,22, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (DRY CREEK 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 38 degrees 22 minutes 7 seconds North Latitude and -112 degrees 07 minutes 33.39 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,460,950.3 feet and Y = 10,462,830.6 feet; thence the following courses along the said road center line:

thence South 61 Degrees 26 Minutes 47 Seconds East	127.8 feet
thence South 62 Degrees 11 Minutes 51 Seconds East	146.2 feet
thence South 63 Degrees 23 Minutes 29 Seconds East	140.6 feet
thence South 63 Degrees 41 Minutes 09 Seconds East	130.3 feet
thence South 63 Degrees 52 Minutes 47 Seconds East	129.7 feet
thence South 63 Degrees 03 Minutes 22 Seconds East	133.3 feet
thence South 62 Degrees 53 Minutes 39 Seconds East	137.5 feet
thence South 63 Degrees 15 Minutes 53 Seconds East	138.6 feet
thence South 62 Degrees 42 Minutes 35 Seconds East	137.4 feet
thence South 61 Degrees 35 Minutes 53 Seconds East	140.7 feet
thence South 56 Degrees 56 Minutes 02 Seconds East	152.1 feet

thence South 55 Degrees 16 Minutes 09 Seconds East 142.3 feet
 thence South 64 Degrees 07 Minutes 01 Seconds East 137.5 feet
 thence South 67 Degrees 47 Minutes 53 Seconds East 126.8 feet
 thence South 65 Degrees 58 Minutes 41 Seconds East 101.9 feet
 thence South 77 Degrees 02 Minutes 55 Seconds East 82.9 feet
 thence North 86 Degrees 43 Minutes 53 Seconds East 82.8 feet
 thence South 77 Degrees 04 Minutes 29 Seconds East 86 feet
 thence South 68 Degrees 10 Minutes 38 Seconds East 114.1 feet
 thence South 65 Degrees 54 Minutes 36 Seconds East 120.7 feet
 thence South 65 Degrees 49 Minutes 53 Seconds East 117.2 feet
 thence South 63 Degrees 02 Minutes 45 Seconds East 107.4 feet
 thence South 62 Degrees 14 Minutes 34 Seconds East 106 feet
 thence South 66 Degrees 54 Minutes 38 Seconds East 71.9 feet
 thence South 66 Degrees 55 Minutes 03 Seconds East 37.2 feet
 thence South 64 Degrees 07 Minutes 20 Seconds East 113 feet
 thence South 64 Degrees 08 Minutes 24 Seconds East 107.9 feet
 thence South 72 Degrees 35 Minutes 58 Seconds East 99.2 feet
 thence South 69 Degrees 14 Minutes 09 Seconds East 96.7 feet
 thence South 55 Degrees 25 Minutes 28 Seconds East 91.2 feet
 thence South 53 Degrees 31 Minutes 41 Seconds East 91 feet
 thence South 66 Degrees 35 Minutes 24 Seconds East 112.6 feet
 thence South 65 Degrees 17 Minutes 54 Seconds East 124.9 feet
 thence South 63 Degrees 45 Minutes 00 Seconds East 123.3 feet
 thence South 65 Degrees 07 Minutes 50 Seconds East 121.9 feet
 thence South 73 Degrees 13 Minutes 26 Seconds East 119.5 feet
 thence North 89 Degrees 41 Minutes 05 Seconds East 117.5 feet
 thence North 89 Degrees 41 Minutes 05 Seconds East 100.1 feet
 thence South 87 Degrees 26 Minutes 30 Seconds East 85.1 feet
 thence South 78 Degrees 32 Minutes 14 Seconds East 78.8 feet
 thence South 70 Degrees 24 Minutes 55 Seconds East 77.1 feet
 thence South 79 Degrees 28 Minutes 29 Seconds East 78.5 feet
 thence South 88 Degrees 42 Minutes 40 Seconds East 82.1 feet
 thence South 84 Degrees 55 Minutes 33 Seconds East 87.4 feet
 thence South 81 Degrees 53 Minutes 44 Seconds East 91.9 feet
 thence South 74 Degrees 41 Minutes 45 Seconds East 95.1 feet
 thence South 80 Degrees 27 Minutes 31 Seconds East 86.3 feet
 thence South 81 Degrees 36 Minutes 07 Seconds East 86.7 feet
 thence South 80 Degrees 12 Minutes 43 Seconds East 91.7 feet
 thence South 78 Degrees 58 Minutes 01 Seconds East 96.7 feet
 thence South 80 Degrees 22 Minutes 28 Seconds East 97 feet
 thence South 80 Degrees 27 Minutes 34 Seconds East 78.6 feet
 thence South 80 Degrees 22 Minutes 43 Seconds East 45.6 feet more or less to **the ending**

point at: 38 degrees 21 minutes 47.99 seconds North Latitude and -112 degrees 06 minutes 28.06 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,466,140.8 feet and Y = 10,460,873.7 feet.