

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

Ent 106905 Bk 127 Pg 412
Date: 16-JUN-2008 11:17AM
Fee: None
Filed By: RC
SHANE A. MILLETT, Recorder
PIUTE COUNTY CORPORATION

THE STATE OF UTAH for: GOVERNOR OF 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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 ALLEN POND ROAD; County Road Number: PCRD35; State Geographic Information Database (SGID) Road Identification Number: RD160035. Total road length is 1.09 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

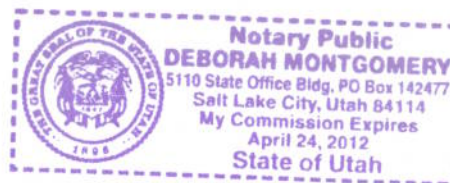
CERTIFICATION

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





Ent 106905 Bk 0127 Pg 0414



1:15,973
1 inch equals 0.3 miles



ALLEN POND ROAD - Piute County

SGID RD_ID RD160035

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

- ALLEN POND ROAD
- Other Roads
- Title V, Issued Or Under Consideration By BLM Or County
- Photo Event Point
- Section = 1 Mile

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Jul 13, 2007





EP160035001

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ALLEN POND ROAD - Piute County
SGID RD_ID RD160035

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: ALLEN POND ROAD

County: Piute

County Road Number: PCRD35

State Geographic Information Database (SGID) Road Identification Number: RD160035.

Total Road Length: 1.09 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 16 minutes 46.06 seconds North Latitude and -112 degrees 00 minutes 10.15 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,496,076.5 feet and Y = 10,430,151.8 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 16 minutes 15.47 seconds North Latitude and -111 degrees 59 minutes 13.22 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,500,599.8 feet and Y = 10,427,032.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 29 South Range 2 West, Section(s) 15,22,23, 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: ALLEN POND ROAD

County: Piute

County Road Number: PCRD35

State Geographic Information Database (SGID) Road Identification Number: RD160035.

Total Road Length: 1.09 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
RD160035	001	BLM	1.09 Miles	A
		Total Road Length	1.09	_____

* 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 ART NIELSEN

ALLEN POND ROAD

PIUTE COUNTY, UTAH

ROAD NUMBER PCRD35

State of Utah)
 : ss.
County of Piute)

ART 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 72 years. I was employed as the Road Supervisor for the Piute County Road Department from 1983 to 2000.

2. I have traveled and am familiar with a road in Piute County known as Allen Pond 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 2006 when I last observed it. Attached is a Piute County map showing Allen Pond 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 2006. 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 for more than ten continuous years prior to 1976, and was used daily in 2006.

5. Throughout the time period from the early 1950s to 2006, I have used the road

myself for the following uses: hunting, prospecting for minerals, recreation 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: farming, livestock operations and tourism.

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.

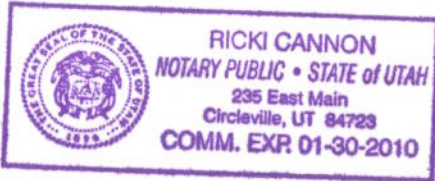
8. Prior to 1976, I observed the graded surface of the road.

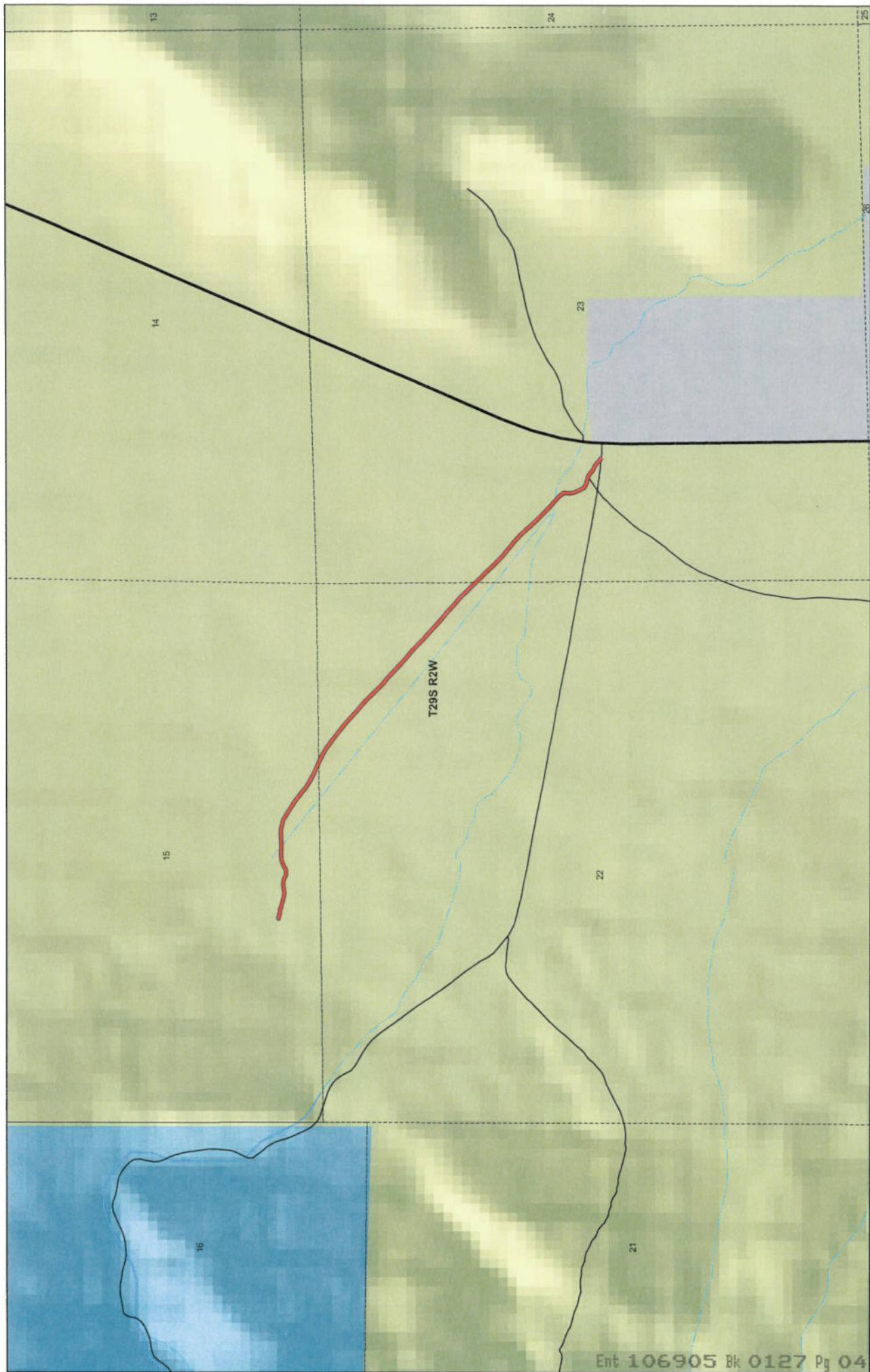

DATED this 13 day of April, 2007.

Arthur Nielsen
ART NIELSEN

SUBSCRIBED AND SWORN to before me this 13 day of April, 2007.



Ricki Cannon
NOTARY PUBLIC



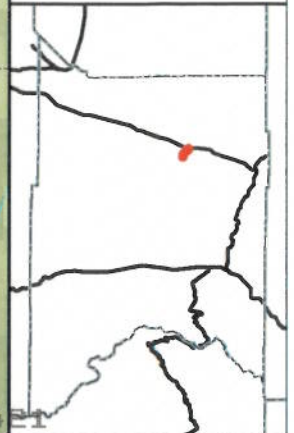
1:15,253
1 inch equals 0.2 miles

Map prepared by the State of Utah
Automated Geographic Reference Center
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
April 04, 2007

ALLEN POND ROAD County Unique - PCRDR35

- Land Ownership Categories**
- BLM
 - Private
 - SITLA, State Trust Land
 - USFS, National Forest
 - Wildlife Reserve
- Misc**
- City / Town
 - Municipalities
 - Section = 1 Mile
- Transportation Network**
- ALLEN POND ROAD
 - State / U.S. Highway
 - Local Roads



AFFIDAVIT OF MAVEN T. BAGLEY

ALLEN POND ROAD

PIUTE COUNTY, UTAH

ROAD NUMBER PCRD35

State of Utah)
 : ss.
County of Piute)

MAVEN T. BAGLEY, 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 most of the last 76 years.

2. I have traveled and am familiar with a road in Piute County known as Allen Pond 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 2007 when I last observed it. Attached is a Piute County map showing Allen Pond 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 2007. 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 weekly for more than ten continuous years prior to 1976, and was used weekly in 2007.

5. Throughout the time period from the early 1950s to 2007, I have used the road myself for the following uses: livestock operations, berry picking 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 recreation and logging.

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.

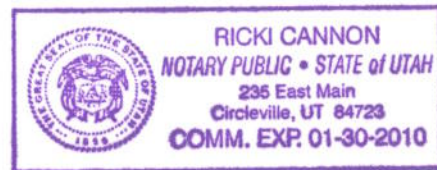
8. Prior to 1976, I observed the graded surface of the road.


DATED this 11 day of April, 2007.


MAVEN T. BAGLEY

SUBSCRIBED AND SWORN to before me this 11 day of April, 2007.


NOTARY PUBLIC



1:15,253
1 inch equals 0.2 miles

Map prepared by the State of Utah
Automated Geographic Referencing Center
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
Apr 04, 2007




ALLEN POND ROAD County Unique - PCR35

- Land Ownership Categories**
- BLM
 - Private
 - SITLA, State Trust Land
 - USFS, National Forest
 - Wildlife Reserve
- Misc**
- City / Town
 - Municipalities
 - Section = 1 Mile
- Transportation Network**
- ALLEN POND ROAD
 - State / U.S. Highway
 - Local Roads



Appendix A to Attachment 4

Popular Name: ALLEN POND ROAD

County: Piute

County Road Number: PCRD35

State Geographic Information Database (SGID) Road Identification Number: RD160035.

Road-Segment Number: 001

Road-Segment Length: 1.09 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 29 South Range 2 West, Section(s) 15,22,23, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (ALLEN POND 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 38 degrees 16 minutes 46.06 seconds North Latitude and -112 degrees 00 minutes 10.15 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,496,076.5 feet and Y = 10,430,151.8 feet; thence the following courses along the said road center line:

thence South 76 Degrees 16 Minutes 37 Seconds East	8.1 feet
thence South 72 Degrees 47 Minutes 15 Seconds East	39.2 feet
thence South 80 Degrees 28 Minutes 46 Seconds East	50 feet
thence South 75 Degrees 28 Minutes 41 Seconds East	62.8 feet
thence South 77 Degrees 04 Minutes 21 Seconds East	63 feet
thence South 78 Degrees 09 Minutes 29 Seconds East	43.6 feet
thence North 80 Degrees 41 Minutes 34 Seconds East	46.2 feet
thence North 84 Degrees 29 Minutes 32 Seconds East	50.7 feet
thence South 81 Degrees 45 Minutes 40 Seconds East	44.1 feet
thence South 57 Degrees 48 Minutes 33 Seconds East	44 feet
thence North 88 Degrees 46 Minutes 38 Seconds East	41.4 feet

thence North 62 Degrees 58 Minutes 05 Seconds East 54.7 feet
 thence North 68 Degrees 37 Minutes 31 Seconds East 56.6 feet
 thence North 86 Degrees 21 Minutes 10 Seconds East 67.7 feet
 thence South 88 Degrees 33 Minutes 44 Seconds East 75.2 feet
 thence North 85 Degrees 47 Minutes 10 Seconds East 72.4 feet
 thence North 89 Degrees 14 Minutes 21 Seconds East 84 feet
 thence South 76 Degrees 16 Minutes 37 Seconds East 94.7 feet
 thence South 59 Degrees 08 Minutes 37 Seconds East 109.7 feet
 thence South 57 Degrees 40 Minutes 25 Seconds East 94.3 feet
 thence South 50 Degrees 32 Minutes 01 Seconds East 91.8 feet
 thence South 52 Degrees 05 Minutes 19 Seconds East 94.4 feet
 thence South 59 Degrees 38 Minutes 54 Seconds East 86.2 feet
 thence South 63 Degrees 38 Minutes 33 Seconds East 79.7 feet
 thence South 65 Degrees 52 Minutes 09 Seconds East 83.3 feet
 thence South 65 Degrees 41 Minutes 22 Seconds East 26 feet
 thence South 66 Degrees 02 Minutes 38 Seconds East 62.3 feet
 thence South 60 Degrees 45 Minutes 41 Seconds East 84.5 feet
 thence South 54 Degrees 41 Minutes 19 Seconds East 75.5 feet
 thence South 53 Degrees 18 Minutes 38 Seconds East 85.1 feet
 thence South 52 Degrees 52 Minutes 38 Seconds East 86.4 feet
 thence South 48 Degrees 35 Minutes 01 Seconds East 81.4 feet
 thence South 49 Degrees 18 Minutes 14 Seconds East 80 feet
 thence South 48 Degrees 31 Minutes 27 Seconds East 70.4 feet
 thence South 48 Degrees 36 Minutes 25 Seconds East 64.6 feet
 thence South 47 Degrees 45 Minutes 13 Seconds East 70.8 feet
 thence South 45 Degrees 29 Minutes 02 Seconds East 77.7 feet
 thence South 44 Degrees 57 Minutes 26 Seconds East 74.7 feet
 thence South 46 Degrees 27 Minutes 31 Seconds East 69.6 feet
 thence South 50 Degrees 58 Minutes 09 Seconds East 73 feet
 thence South 49 Degrees 21 Minutes 50 Seconds East 82.1 feet
 thence South 47 Degrees 11 Minutes 53 Seconds East 91.7 feet
 thence South 49 Degrees 09 Minutes 59 Seconds East 89.8 feet
 thence South 49 Degrees 45 Minutes 31 Seconds East 86.8 feet
 thence South 48 Degrees 47 Minutes 09 Seconds East 88.1 feet
 thence South 44 Degrees 24 Minutes 13 Seconds East 87.7 feet
 thence South 48 Degrees 11 Minutes 53 Seconds East 87.6 feet
 thence South 48 Degrees 52 Minutes 47 Seconds East 85.8 feet
 thence South 48 Degrees 36 Minutes 33 Seconds East 88.8 feet
 thence South 49 Degrees 16 Minutes 39 Seconds East 94 feet
 thence South 49 Degrees 34 Minutes 51 Seconds East 93.5 feet
 thence South 49 Degrees 24 Minutes 34 Seconds East 87.7 feet
 thence South 44 Degrees 06 Minutes 02 Seconds East 87.7 feet
 thence South 45 Degrees 09 Minutes 31 Seconds East 86.1 feet
 thence South 43 Degrees 13 Minutes 22 Seconds East 31.8 feet
 thence South 43 Degrees 07 Minutes 38 Seconds East 60.8 feet
 thence South 44 Degrees 45 Minutes 53 Seconds East 97 feet
 thence South 43 Degrees 50 Minutes 39 Seconds East 99.6 feet
 thence South 48 Degrees 13 Minutes 10 Seconds East 105.3 feet
 thence South 49 Degrees 10 Minutes 49 Seconds East 99.8 feet

thence South 50 Degrees 51 Minutes 30 Seconds East 96.1 feet
 thence South 46 Degrees 31 Minutes 13 Seconds East 99.1 feet
 thence South 43 Degrees 39 Minutes 38 Seconds East 96.6 feet
 thence South 43 Degrees 35 Minutes 09 Seconds East 92.4 feet
 thence South 43 Degrees 43 Minutes 18 Seconds East 83.6 feet
 thence South 45 Degrees 58 Minutes 17 Seconds East 80.8 feet
 thence South 48 Degrees 47 Minutes 12 Seconds East 72.8 feet
 thence South 46 Degrees 31 Minutes 17 Seconds East 55 feet
 thence South 46 Degrees 30 Minutes 23 Seconds East 44.6 feet
 thence South 34 Degrees 13 Minutes 09 Seconds East 48.2 feet
 thence South 02 Degrees 44 Minutes 23 Seconds West 49.3 feet
 thence South 09 Degrees 17 Minutes 08 Seconds East 50.5 feet
 thence South 22 Degrees 40 Minutes 29 Seconds East 56.1 feet
 thence South 29 Degrees 44 Minutes 54 Seconds East 52.8 feet
 thence South 57 Degrees 56 Minutes 28 Seconds East 43.5 feet
 thence South 76 Degrees 55 Minutes 13 Seconds East 35.4 feet
 thence South 76 Degrees 40 Minutes 12 Seconds East 34.8 feet
 thence South 61 Degrees 52 Minutes 12 Seconds East 35.8 feet
 thence South 50 Degrees 21 Minutes 19 Seconds East 31.7 feet
 thence South 53 Degrees 19 Minutes 03 Seconds East 30 feet
 thence South 66 Degrees 44 Minutes 51 Seconds East 33.7 feet
 thence South 59 Degrees 37 Minutes 40 Seconds East 34.7 feet
 thence South 34 Degrees 55 Minutes 26 Seconds East 28.3 feet

thence South 64 Degrees 13 Minutes 38 Seconds East 35.1 feet more or less to **the ending point at:** 38 degrees 16 minutes 15.47 seconds North Latitude and -111 degrees 59 minutes 13.22 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,500,599.8 feet and Y = 10,427,032.6 feet.