

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Piute County as it pertains to the highway located in Piute County known as FLAT TOP ROAD; County Road Number: PCRD100; State Geographic Information Database (SGID) Road Identification Number: RD160100. Total road length is 1.27 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

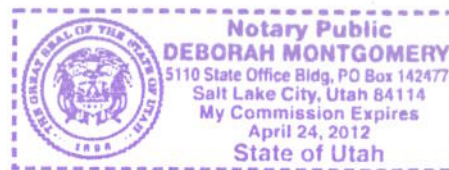
State of Utah)
 : ss
County of Salt Lake)

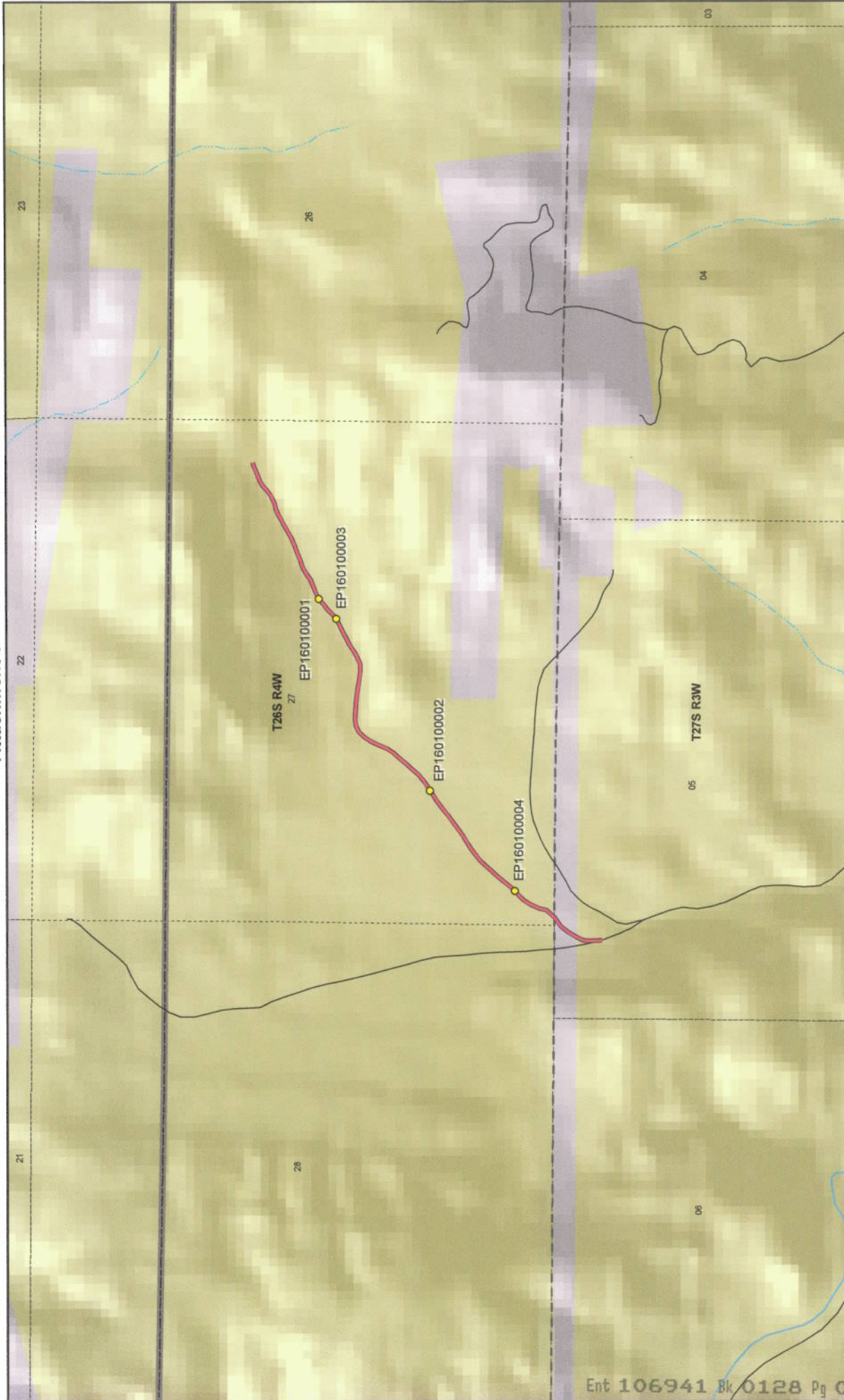
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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





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

FLAT TOP ROAD - Piute County SGID RD_ID RD160100

Transportation Network

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

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

1:17,050
1 inch equals 0.3 miles

Ent 106941 Bk 0128 Pg 0081



EP160100001



EP160100002



EP160100003



EP160100004

EP000000000

EP000000000

FLAT TOP ROAD - Piute County
SGID RD_ID RD160100

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
July 31, 2007



Attachment 3

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

Popular Name: FLAT TOP ROAD

County: Piute

County Road Number: PCRD100

State Geographic Information Database (SGID) Road Identification Number: RD160100.

Total Road Length: 1.27 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 29 minutes 57.19 seconds North Latitude and -112 degrees 14 minutes 02.22 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,430,357.0 feet and Y = 10,510,620.9 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 30 minutes 34.53 seconds North Latitude and -112 degrees 12 minutes 058.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,435,435.2 feet and Y = 10,514,358.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 26 South Range 4 West, Section(s) 27, Salt Lake Base & Meridian

Township 27 South Range 3 West, Section(s) 5, 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: FLAT TOP ROAD

County: Piute

County Road Number: PCRD100

State Geographic Information Database (SGID) Road Identification Number: RD160100.

Total Road Length: 1.27 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
RD160100	001	BLM	0.05 Miles	A
RD160100	002	PVT	0.07 Miles	(not shown)
RD160100	003	BLM	1.15 Miles	B
		Total Road Length	1.27	_____

* 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 MICHAEL L. GIBBS

FLAT TOP ROAD

PIUTE COUNTY, UTAH

ROAD NUMBER PCRD100

State of Utah)
 : ss.
County of Piute)

MICHAEL L. GIBBS, 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 65 years.

2. I have traveled and am familiar with a road in Piute County known as Flat Top Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1950s, it followed the same route as in 2007 when I last observed it. Attached is a Piute County map showing Flat Top 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 late 1950s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including trucks, cars, mining equipment, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used weekly, weather permitting for more than ten continuous years prior to 1976, and is presently used weekly, weather permitting.

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

myself for the following uses: mining, prospecting for minerals, hunting, wood gathering, 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: tourism, 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 early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

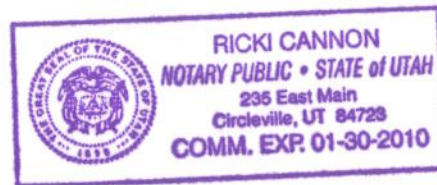
8. Prior to 1976, I observed the graded surface of the road.

DATED this 12 day of April, 2007.


MICHAEL L. GIBBS

SUBSCRIBED AND SWORN to before me this 12 day of April, 2007.


NOTARY PUBLIC






1:16,281
1 inch equals 0.3 miles

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




FLAT TOP ROAD County Unique - PCRD100

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



AFFIDAVIT OF CLARK ELDER

FLAT TOP ROAD

PIUTE COUNTY, UTAH

ROAD NUMBER PCRD100

State of Utah)
 : ss.
County of Piute)

CLARK ELDER, 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.

2. I have traveled and am familiar with a road in Piute County known as Flat Top 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 Flat Top 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, weather permitting for more than ten continuous years prior to 1976, and was used daily, weather permitting in 2006.

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


myself for the following uses: mining, prospecting for minerals, recreation, wood gathering, 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.

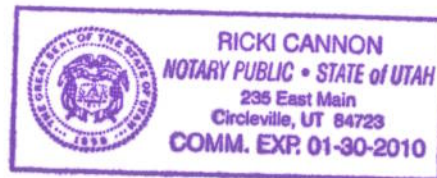
8. Prior to 1976, I observed the graded surface of the road.

DATED this 11 day of April, 2007.


CLARK ELDER

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




NOTARY PUBLIC






1:16,281
1 inch equals 0.3 miles

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

FLAT TOP ROAD County Unique - PCRD100

- | | | |
|---|---|--|
| Land Ownership Categories | Misc | Transportation Network |
| <ul style="list-style-type: none"> ■ BLM ■ Private ■ SITLA, State Trust Land ■ USFS, National Forest ■ Wildlife Reserve | <ul style="list-style-type: none"> City / Town Municipalities Section = 1 Mile | <ul style="list-style-type: none"> FLAT TOP ROAD State / U.S. Highway Local Roads |



Appendix A to Attachment 4

Popular Name: FLAT TOP ROAD

County: Piute

County Road Number: PCRD100

State Geographic Information Database (SGID) Road Identification Number: RD160100.

Road-Segment Number: 001

Road-Segment Length: 0.05 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 27 South Range 3 West, Section(s) 5, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (FLAT TOP 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 29 minutes 57.19 seconds North Latitude and -112 degrees 14 minutes 02.22 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,430,357.0 feet and Y = 10,510,620.9 feet; thence the following courses along the said road center line:

thence North 03 Degrees 59 Minutes 18 Seconds West 112.8 feet

thence North 04 Degrees 07 Minutes 57 Seconds West 19.7 feet

thence North 07 Degrees 26 Minutes 04 Seconds East 70.5 feet

thence North 26 Degrees 14 Minutes 47 Seconds East 75.6 feet more or less to **the ending**

point at: 38 degrees 29 minutes 59.86 seconds North Latitude and -112 degrees 14 minutes 01.83 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,430,390.3 feet and Y = 10,510,890.9 feet.

Appendix B to Attachment 4

Popular Name: FLAT TOP ROAD

County: Piute

County Road Number: PCRD100

State Geographic Information Database (SGID) Road Identification Number: RD160100.

Road-Segment Number: 003

Road-Segment Length: 1.15 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 26 South Range 4 West, Section(s) 27, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (FLAT TOP ROAD)-- Segment 003 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 30 minutes 2.4 seconds North Latitude and -112 degrees 13 minutes 59.01 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,430,616.3 feet and Y = 10,511,146.5 feet; thence the following courses along the said road center line:

thence North 40 Degrees 27 Minutes 03 Seconds East	84.9 feet
thence North 13 Degrees 28 Minutes 36 Seconds East	75.7 feet
thence North 22 Degrees 38 Minutes 07 Seconds East	60.6 feet
thence North 24 Degrees 52 Minutes 57 Seconds East	55.5 feet
thence North 30 Degrees 44 Minutes 47 Seconds East	63.6 feet
thence North 43 Degrees 21 Minutes 28 Seconds East	70.3 feet
thence North 48 Degrees 36 Minutes 51 Seconds East	74.4 feet
thence North 41 Degrees 08 Minutes 12 Seconds East	78.8 feet
thence North 38 Degrees 14 Minutes 04 Seconds East	82.7 feet
thence North 39 Degrees 22 Minutes 14 Seconds East	82.7 feet
thence North 42 Degrees 39 Minutes 09 Seconds East	85.2 feet
thence North 42 Degrees 12 Minutes 19 Seconds East	85.9 feet

thence North 43 Degrees 29 Minutes 54 Seconds East 78.7 feet
 thence North 46 Degrees 51 Minutes 22 Seconds East 73.4 feet
 thence North 53 Degrees 06 Minutes 07 Seconds East 77.6 feet
 thence North 55 Degrees 48 Minutes 29 Seconds East 85.4 feet
 thence North 57 Degrees 18 Minutes 34 Seconds East 87 feet
 thence North 55 Degrees 03 Minutes 55 Seconds East 90.1 feet
 thence North 53 Degrees 38 Minutes 22 Seconds East 95.4 feet
 thence North 52 Degrees 27 Minutes 32 Seconds East 96 feet
 thence North 51 Degrees 45 Minutes 10 Seconds East 92.4 feet
 thence North 54 Degrees 23 Minutes 03 Seconds East 90.9 feet
 thence North 55 Degrees 55 Minutes 40 Seconds East 82.1 feet
 thence North 57 Degrees 05 Minutes 30 Seconds East 85.3 feet
 thence North 57 Degrees 39 Minutes 14 Seconds East 91 feet
 thence North 48 Degrees 46 Minutes 40 Seconds East 87.7 feet
 thence North 41 Degrees 05 Minutes 11 Seconds East 88.8 feet
 thence North 40 Degrees 31 Minutes 57 Seconds East 89.8 feet
 thence North 41 Degrees 09 Minutes 35 Seconds East 90.7 feet
 thence North 41 Degrees 09 Minutes 10 Seconds East 86.7 feet
 thence North 31 Degrees 19 Minutes 57 Seconds East 84.4 feet
 thence North 22 Degrees 57 Minutes 29 Seconds East 94.7 feet
 thence North 24 Degrees 08 Minutes 32 Seconds East 91.9 feet
 thence North 33 Degrees 52 Minutes 03 Seconds East 84.1 feet
 thence North 41 Degrees 28 Minutes 24 Seconds East 78.8 feet
 thence North 65 Degrees 52 Minutes 31 Seconds East 73.2 feet
 thence North 82 Degrees 37 Minutes 07 Seconds East 74.7 feet
 thence South 88 Degrees 14 Minutes 24 Seconds East 81.4 feet
 thence South 85 Degrees 16 Minutes 09 Seconds East 82 feet
 thence South 85 Degrees 01 Minutes 11 Seconds East 81.7 feet
 thence South 83 Degrees 40 Minutes 31 Seconds East 82.3 feet
 thence South 79 Degrees 39 Minutes 29 Seconds East 85.2 feet
 thence South 81 Degrees 46 Minutes 39 Seconds East 90.6 feet
 thence North 87 Degrees 41 Minutes 00 Seconds East 84.7 feet
 thence North 68 Degrees 33 Minutes 24 Seconds East 77.4 feet
 thence North 59 Degrees 11 Minutes 39 Seconds East 88 feet
 thence North 58 Degrees 13 Minutes 52 Seconds East 86.2 feet
 thence North 61 Degrees 53 Minutes 27 Seconds East 82.4 feet
 thence North 63 Degrees 36 Minutes 37 Seconds East 85.1 feet
 thence North 64 Degrees 52 Minutes 32 Seconds East 86 feet
 thence North 54 Degrees 18 Minutes 45 Seconds East 77.7 feet
 thence North 46 Degrees 12 Minutes 47 Seconds East 86.8 feet
 thence North 49 Degrees 38 Minutes 39 Seconds East 83.2 feet
 thence North 48 Degrees 39 Minutes 22 Seconds East 77 feet
 thence North 63 Degrees 47 Minutes 39 Seconds East 74.4 feet
 thence North 70 Degrees 25 Minutes 40 Seconds East 72.7 feet
 thence North 66 Degrees 47 Minutes 46 Seconds East 70.9 feet
 thence North 55 Degrees 55 Minutes 18 Seconds East 75 feet
 thence North 64 Degrees 26 Minutes 27 Seconds East 76.2 feet
 thence North 69 Degrees 56 Minutes 46 Seconds East 77.8 feet
 thence North 65 Degrees 57 Minutes 50 Seconds East 85.7 feet

thence North 69 Degrees 33 Minutes 28 Seconds East 91.6 feet
thence North 67 Degrees 21 Minutes 35 Seconds East 87.3 feet
thence North 61 Degrees 21 Minutes 03 Seconds East 85.8 feet
thence North 60 Degrees 09 Minutes 36 Seconds East 93.9 feet
thence North 60 Degrees 23 Minutes 09 Seconds East 98.6 feet
thence North 67 Degrees 42 Minutes 42 Seconds East 62.3 feet
thence North 77 Degrees 20 Minutes 32 Seconds East 53.8 feet
thence North 69 Degrees 16 Minutes 43 Seconds East 57.4 feet
thence North 59 Degrees 14 Minutes 50 Seconds East 60.9 feet
thence North 48 Degrees 08 Minutes 58 Seconds East 61.4 feet
thence North 47 Degrees 53 Minutes 12 Seconds East 58.1 feet
thence North 59 Degrees 56 Minutes 11 Seconds East 58.2 feet
thence North 67 Degrees 15 Minutes 03 Seconds East 61.1 feet
thence North 67 Degrees 29 Minutes 01 Seconds East 61.7 feet
thence North 67 Degrees 00 Minutes 36 Seconds East 56.2 feet
thence North 71 Degrees 57 Minutes 13 Seconds East 42 feet more or less to **the ending point**

at: 38 degrees 30 minutes 34.53 seconds North Latitude and -112 degrees 12 minutes 058.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,435,435.2 feet and Y = 10,514,358.9 feet.