

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

Ent 106959 Bk 128 Pg 313
Date: 16-JUN-2008 3:23PM
Fees: 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 OTTER CREEK LAKE 159 ROAD; County Road Number: PCRD159; State Geographic Information Database (SGID) Road Identification Number: RD160159. Total road length is 0.36 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

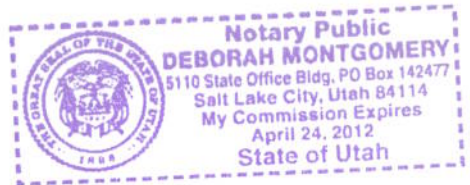
State of Utah)
 : ss
County of Salt Lake)

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 17, 2007

OTTER CREEK LAKE 159 ROAD - Piute County

SGID RD_ID RD160159

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

- OTTER CREEK LAKE 159 ROAD
- Other Roads
- Title V: Issued Or Under Consideration By BLM Or County
- Photo Event Point

Section = 1 Mile

1:11,209
1 inch equals 0.2 miles

Ent 106959 Bk 0128 Pg 0315



EP160159003



EP160159005



EP160159006

EP000000000

EP000000000

EP000000000

OTTER CREEK LAKE 159 ROAD - Piute County
SGID RD_ID RD160159

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: OTTER CREEK LAKE 159 ROAD

County: Piute

County Road Number: PCRD159

State Geographic Information Database (SGID) Road Identification Number: RD160159.

Total Road Length: 0.36 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 12 minutes 14.78 seconds North Latitude and -112 degrees 00 minutes 12.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,495,765.8 feet and Y = 10,402,710.1 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 12 minutes 08.63 seconds North Latitude and -111 degrees 59 minutes 50.67 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,497,480.7 feet and Y = 10,402,079.5 feet based on the US Survey Foot conversion.

This road may traverse:

Township 30 South Range 2 West, Section(s) 15, 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: OTTER CREEK LAKE 159 ROAD

County: Piute

County Road Number: PCRD159

State Geographic Information Database (SGID) Road Identification Number: RD160159.

Total Road Length: 0.36 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
RD160159	001	BLM	0.29 Miles	A
RD160159	002	PVT	0.06 Miles	(not shown)
RD160159	003	WAT	0.01 Miles	(not shown)
		Total Road Length	0.36	_____

* 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
OTTER CREEK LAKE 159 ROAD
PIUTE COUNTY, UTAH
ROAD NUMBER PCRD159

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 Otter Creek Lake 159 Road. I am also familiar with the land the road traverses. When I first used and observed the road in the mid 1940s, it followed the same route as in 2006 when I last observed it. Attached is a Piute County map showing Otter Creek Lake 159 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 1940s and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including trucks, cars, 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 mid 1940s to 2006, I have used the road myself for the following uses: fishing, 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: 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.

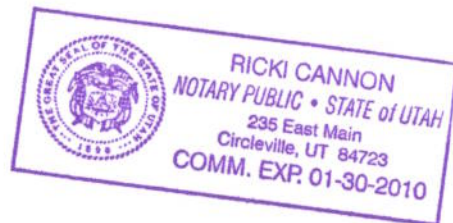
8. Prior to 1976, I observed the graded surface of the road.

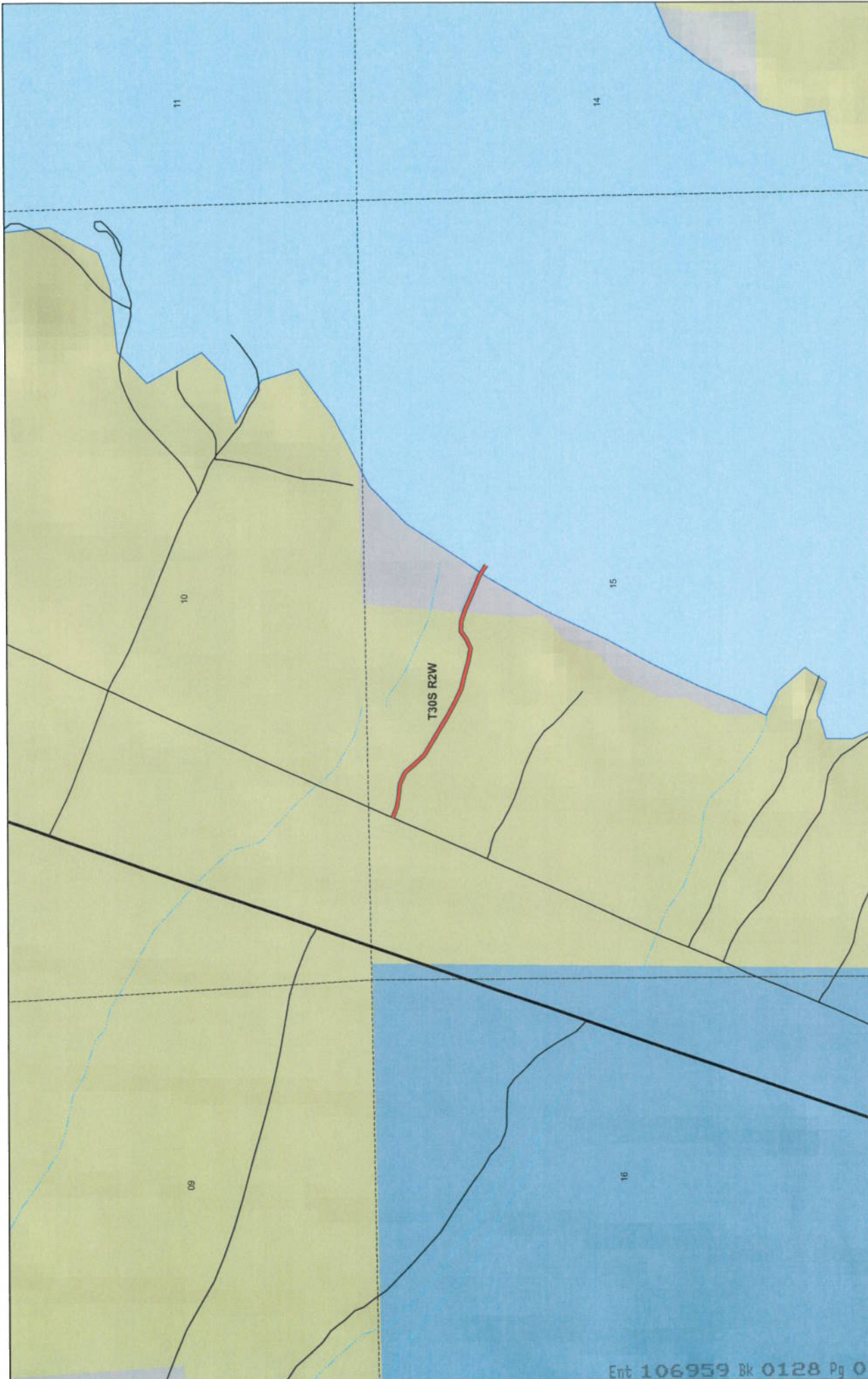
DATED this 13 day of April, 2007.

Art Nielsen
ART NIELSEN

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

Ricki Cannon
NOTARY PUBLIC





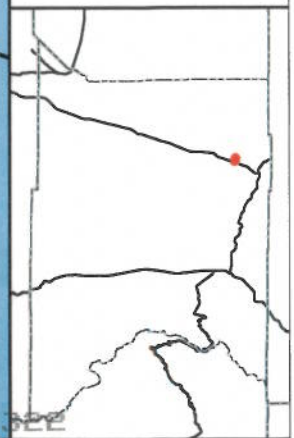

1:10,703
1 inch equals 0.2 miles

Map prepared by the State of Utah
AGRC
Automated Geographic Reference Center
Room 1510, AGRC
Civic Center Building
Salt Lake City, Utah 84114
Apr. 05, 2007




OTTER CREEK LAKE 159 ROAD County Unique - PCRD159

- | | | |
|---|--|---|
| 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"> OTTER CREEK LAKE 159 ROAD State / U.S. Highway Local Roads |



AFFIDAVIT OF AFTON BLOOD
OTTER CREEK LAKE 159 ROAD
PIUTE COUNTY, UTAH
ROAD NUMBER PCRD159

State of Utah)
 : ss.
County of Piute)

AFTON BLOOD, 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 80 years.
2. I have traveled and am familiar with a road in Piute County known as Otter Creek Lake 159 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 2007 when I last observed it. Attached is a Piute County map showing Otter Creek Lake 159 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 2007. Throughout this time period I have observed travel on the road by various means, including trucks, cars, 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 2007.
5. Throughout the time period from the early 1960s to 2007, I have used the road

myself for the following uses: fishing, 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: government access 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 1960s 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.

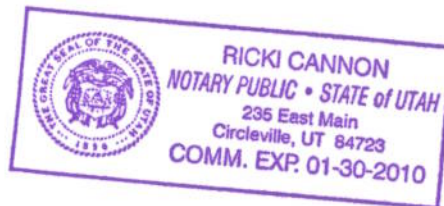


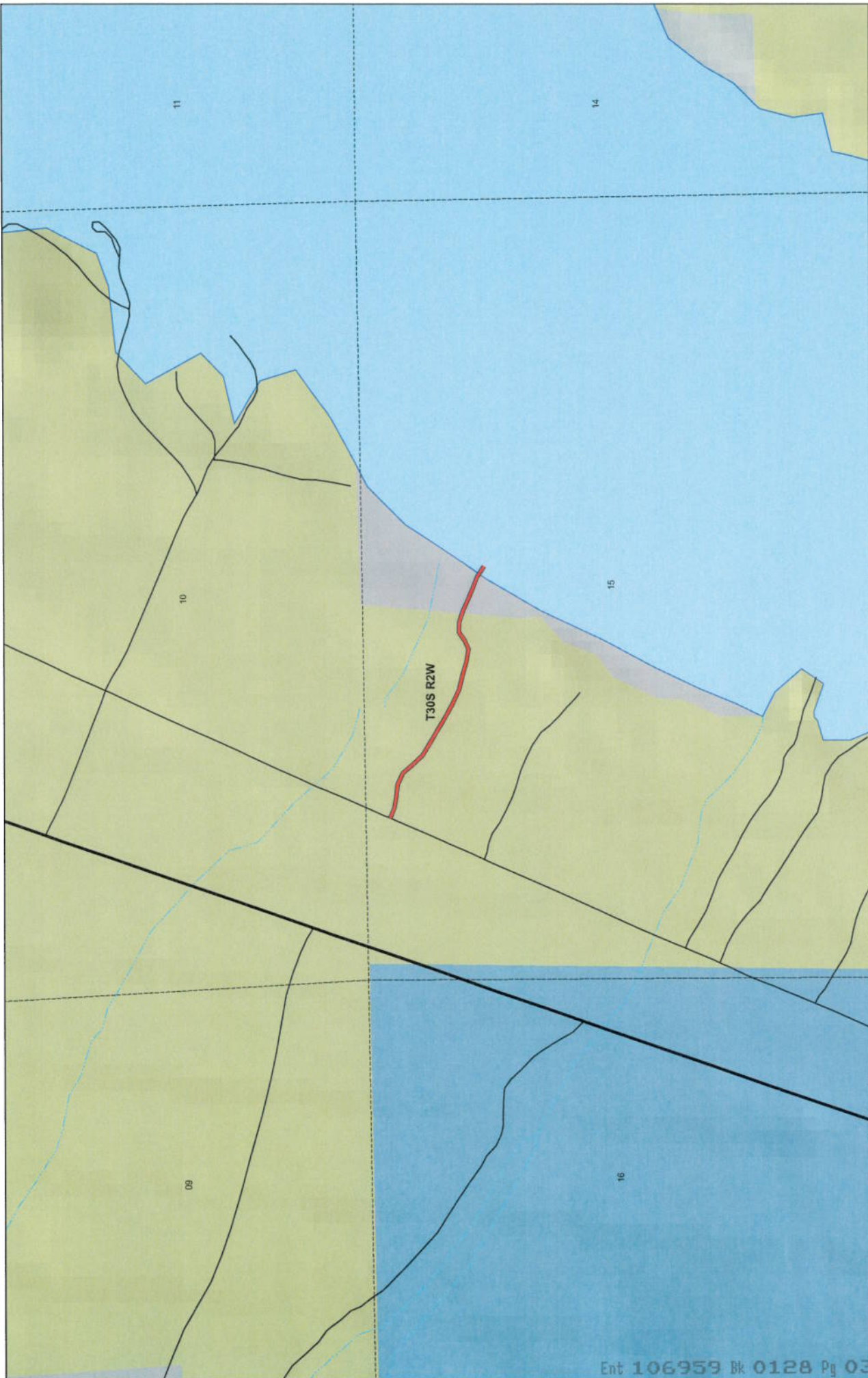
AFTON BLOOD

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



NOTARY PUBLIC






1:10,703
1 inch equals 0.2 miles

Map prepared by the State of Utah
AGRC
Automated Geographic Reference Center
Room 6130, Office Building
Salt Lake City, Utah 84114
Apr. 05, 2007




OTTER CREEK LAKE 159 ROAD County Unique - PCRD159

<p>Land Ownership Categories</p> <ul style="list-style-type: none"> ■ BLM ■ Private ■ SITLA, State Trust Land ■ USFS, National Forest ■ Wildlife Reserve 	<p>Misc</p> <ul style="list-style-type: none"> City / Town Municipalities Section = 1 Mile 	<p>Transportation Network</p> <ul style="list-style-type: none"> OTTER CREEK LAKE 159 ROAD State / U.S. Highway Local Roads
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Appendix A to Attachment 4

Popular Name: OTTER CREEK LAKE 159 ROAD

County: Piute

County Road Number: PCRD159

State Geographic Information Database (SGID) Road Identification Number: RD160159.

Road-Segment Number: 001

Road-Segment Length: 0.29 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 30 South Range 2 West, Section(s) 15, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (OTTER CREEK LAKE 159 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 12 minutes 14.78 seconds North Latitude and -112 degrees 00 minutes 12.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,495,765.8 feet and Y = 10,402,710.1 feet; thence the following courses along the said road center line:

thence South 63 Degrees 09 Minutes 44 Seconds East	28.8 feet
thence South 70 Degrees 49 Minutes 52 Seconds East	51.2 feet
thence South 81 Degrees 01 Minutes 07 Seconds East	73.2 feet
thence South 83 Degrees 21 Minutes 13 Seconds East	84 feet
thence South 67 Degrees 03 Minutes 17 Seconds East	83.9 feet
thence South 40 Degrees 40 Minutes 36 Seconds East	86.1 feet
thence South 43 Degrees 07 Minutes 34 Seconds East	91.3 feet
thence South 59 Degrees 26 Minutes 57 Seconds East	96 feet
thence South 60 Degrees 02 Minutes 32 Seconds East	102.2 feet
thence South 59 Degrees 22 Minutes 45 Seconds East	104.1 feet
thence South 61 Degrees 43 Minutes 49 Seconds East	104.3 feet

thence South 64 Degrees 52 Minutes 19 Seconds East 104.7 feet
thence South 75 Degrees 57 Minutes 46 Seconds East 102 feet
thence South 75 Degrees 42 Minutes 27 Seconds East 96.3 feet
thence South 78 Degrees 47 Minutes 10 Seconds East 85.4 feet
thence North 64 Degrees 15 Minutes 39 Seconds East 66.5 feet
thence North 56 Degrees 04 Minutes 27 Seconds East 68.2 feet
thence South 88 Degrees 23 Minutes 04 Seconds East 68.3 feet
thence South 71 Degrees 34 Minutes 52 Seconds East 60.3 feet more or less to **the ending**

point at: 38 degrees 12 minutes 10.09 seconds North Latitude and -111 degrees 59 minutes 54.74 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,497,156.6 feet and Y = 10,402,228.7 feet.