

Est 106964 Bk 128 Pg 378
Date: 16-JUN-2008 3:34PM
Fee: None
Filed By: RC
SHANE A. MILLETT, Recorder
PIUTE COUNTY CORPORATION
For: GOVERNOR OF THE 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Piute County as it pertains to the highway located in Piute County known as BOX CREEK TRAILHEAD ROAD; County Road Number: PCRD50A; State Geographic Information Database (SGID) Road Identification Number: RD160169. Total road length is 1.56 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

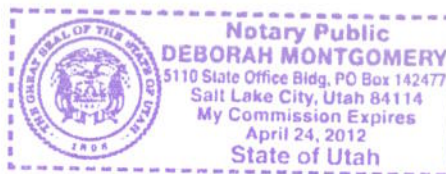
State of Utah)
 : ss
County of Salt Lake)

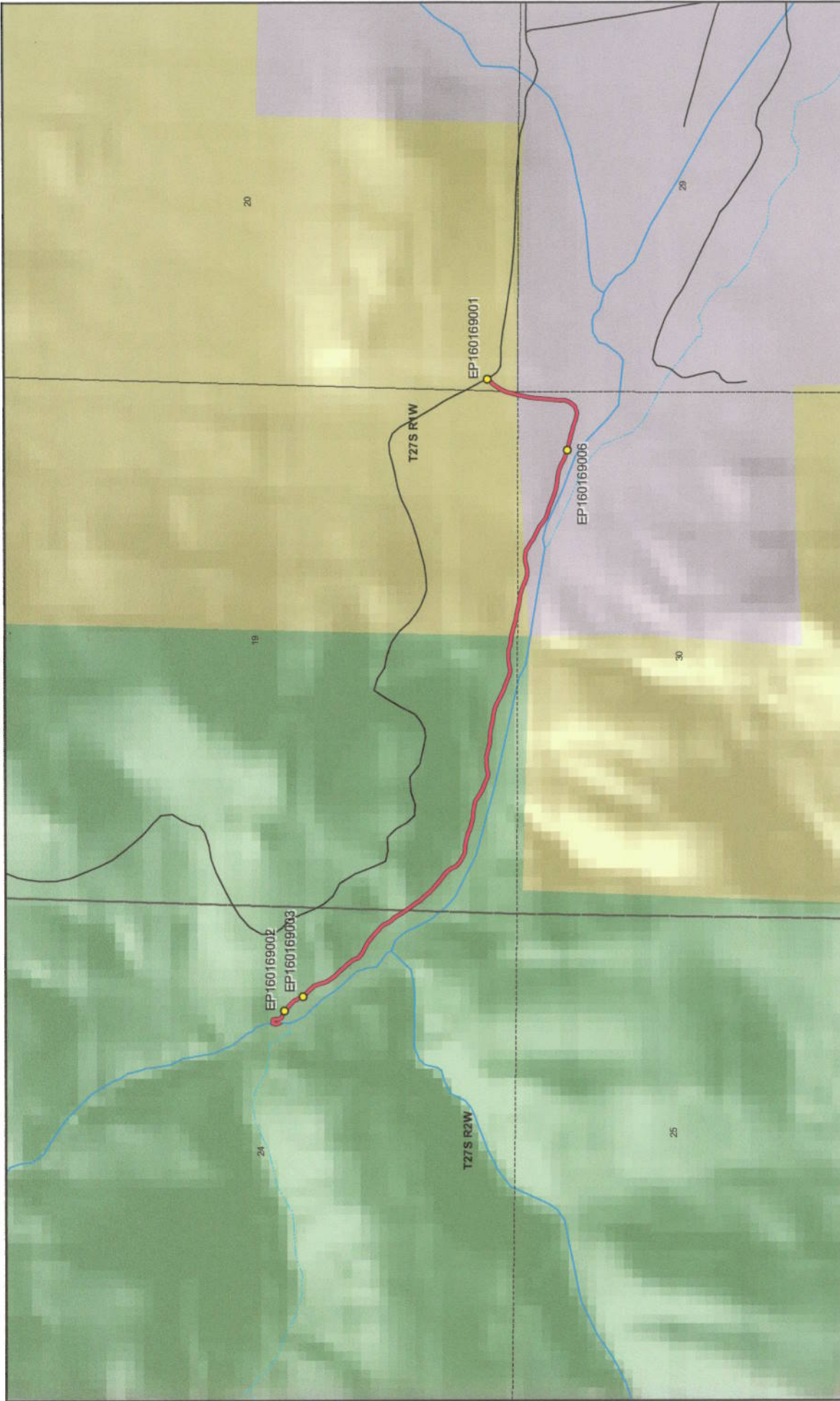
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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



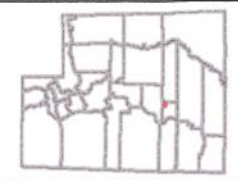
Notary Public





BOX CREEK TRAILHEAD ROAD - Piute County
SGID RD_ID RD160169

- | | |
|--|--|
| <p>Land Ownership Categories</p> <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 | <p>Transportation Network</p> <ul style="list-style-type: none"> BOX CREEK TRAILHEAD ROAD Other Roads Title V: Issued Or Under Consideration By BLM Or County Photo Event Point Section = 1 Mile |
|--|--|



1:15,732
 1 inch equals 0.2 miles

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

Attachment 2



EP160169001



EP160169002



EP160169003



EP160169006

EP000000000

EP000000000

BOX CREEK TRAILHEAD ROAD - Piute County
SGID RD_ID RD160169

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



Attachment 3

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

Popular Name: BOX CREEK TRAILHEAD ROAD

County: Piute

County Road Number: PCRD50A

State Geographic Information Database (SGID) Road Identification Number: RD160169.

Total Road Length: 1.56 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 26 minutes 49.74 seconds North Latitude and -111 degrees 57 minutes 046.8 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,507,809.5 feet and Y = 10,491,161.5 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 26 minutes 30.04 seconds North Latitude and -111 degrees 56 minutes 26.86 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,514,159.7 feet and Y = 10,489,137.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 27 South Range 1 West, Section(s) 19,20,30, Salt Lake Base & Meridian

Township 27 South Range 2 West, Section(s) 24, 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: BOX CREEK TRAILHEAD ROAD

County: Piute

County Road Number: PCRD50A

State Geographic Information Database (SGID) Road Identification Number: RD160169.

Total Road Length: 1.56 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
RD160169	001	FS	0.93 Miles	†(pending)
RD160169	002	BLM	0.11 Miles	A
RD160169	003	PVT	0.46 Miles	(not shown)
RD160169	004	BLM	0.06 Miles	B
		Total Road Length	1.56	_____

* 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 MAVEN T. BAGLEY

BOX CREEK TRAILHEAD ROAD

PIUTE COUNTY, UTAH

ROAD NUMBER PCRD50A

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 past 77 years.

2. I have traveled and am familiar with a road in Piute County known as Box Creek Trailhead Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1940s, it followed the same route as in 2006 when I last observed it. Attached is a Piute County map showing Box Creek Trailhead 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 1940s 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 1960s to 2006, I have used the road

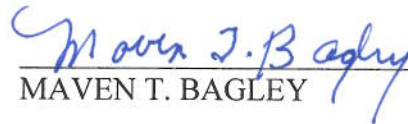
myself for the following uses: irrigation access, livestock operations, hunting, travel in and through the area and recreation.

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, fishing, clay hauling and logging.

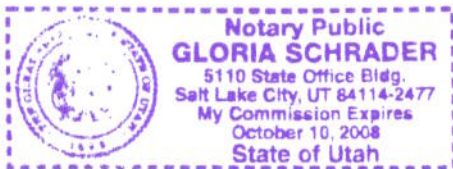
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

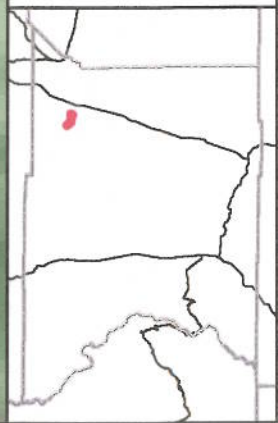
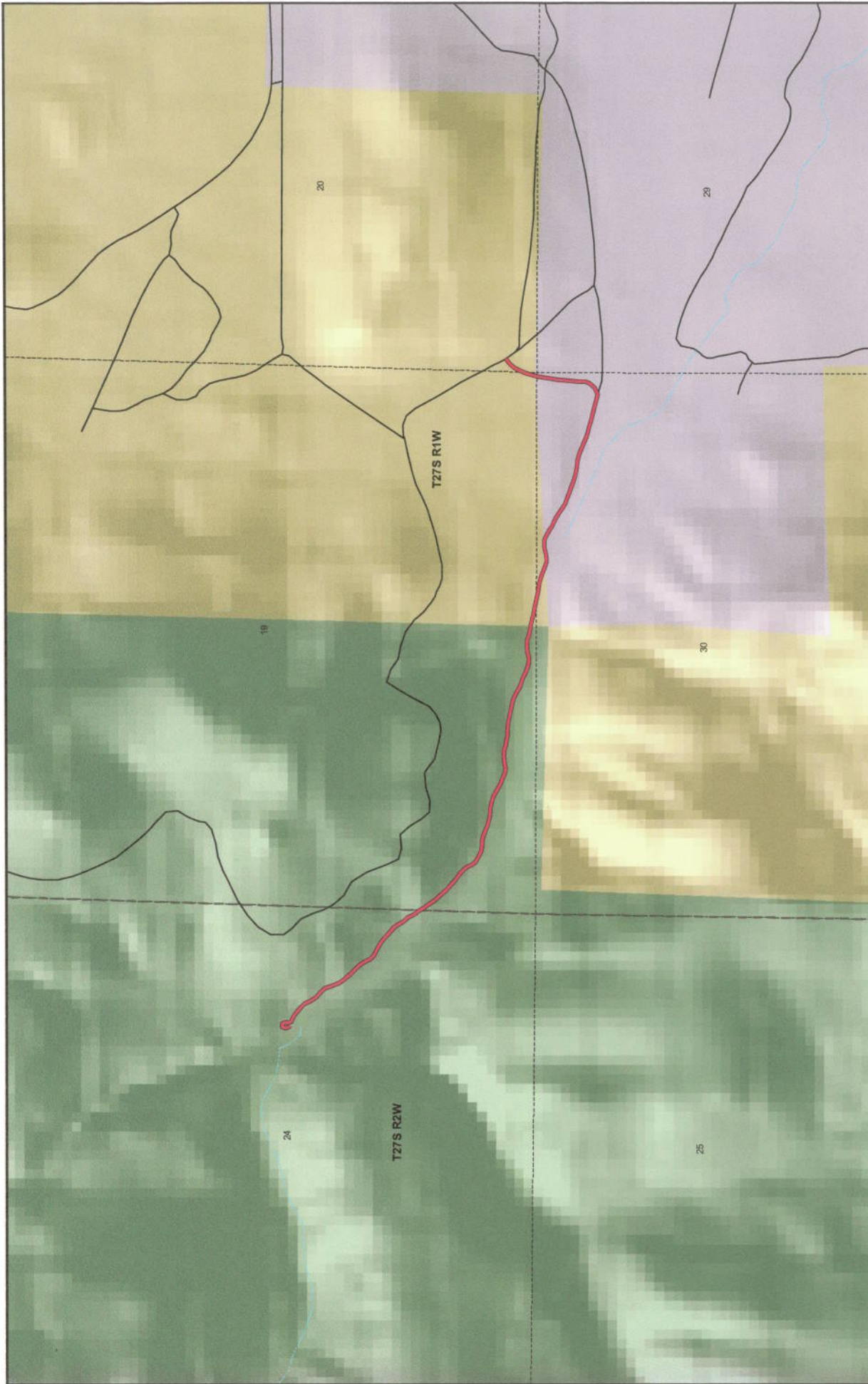
DATED this 19 day of May, 2008.


MAVEN T. BAGLEY

SUBSCRIBED AND SWORN to before me this 19th day of May, 2008.




NOTARY PUBLIC



Piute County
BOX CREEK TRAILHEAD ROAD
County Unique - PCRD50A

- | | | |
|---|---|---|
| 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"> O City / Town □ Municipalities □ Section = 1 Mile | <ul style="list-style-type: none"> — BOX CREEK TRAILHEAD ROAD — State / U.S. Highway — Local Roads |



1:15,019
 1 inch equals 0.2 miles



Map prepared by the State of Utah
 Automated Geographic Reference Center
 AGRC
 Room 6130, Office Building
 Salt Lake City, Utah 84114
 May 07, 2008



AFFIDAVIT OF RICHARD TORGERSON

BOX CREEK TRAILHEAD ROAD

PIUTE COUNTY, UTAH

ROAD NUMBER PCRD50A

State of Utah)
 : ss.
County of Piute)

RICHARD TORGERSON, 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 past 70 years.
2. I have traveled and am familiar with a road in Piute County known as Box Creek Trailhead Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1940s, it followed the same route as in 2007 when I last observed it. Attached is a Piute County map showing Box Creek Trailhead 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 1940s 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 daily, weather permitting for more than ten continuous years prior to 1976, and was used daily, weather permitting in 2007.
5. Throughout the time period from the early 1960s to 2007, I have used the road

myself for the following uses: hunting, fishing and recreation.

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, water access and travel in and through the area.

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 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.

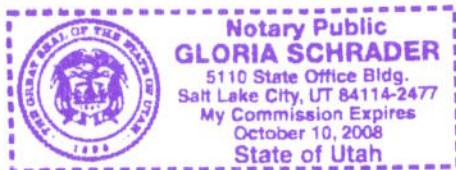
DATED this 19th day of May, 2008.

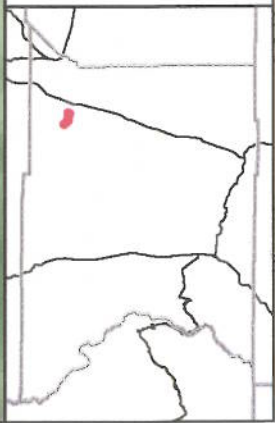

RICHARD TORGERSON

SUBSCRIBED AND SWORN to before me this 19th day of May, 2008.




NOTARY PUBLIC





Piute County
BOX CREEK TRAILHEAD ROAD
County Unique - PCRD50A

- | | | |
|--|---|---|
| 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"> BOX CREEK TRAILHEAD ROAD State / U.S. Highway Local Roads |



1:15,019
 1 inch equals 0.2 miles




Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 May 07, 2008

Appendix A to Attachment 4

Popular Name: BOX CREEK TRAILHEAD ROAD

County: Piute

County Road Number: PCRD50A

State Geographic Information Database (SGID) Road Identification Number: RD160169.

Road-Segment Number: 002

Road-Segment Length: 0.11 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 1 West, Section(s) 19,30, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (BOX CREEK TRAILHEAD 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 26 minutes 27.49 seconds North Latitude and -111 degrees 56 minutes 58.82 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,511,615.3 feet and Y = 10,488,892.0 feet; thence the following courses along the said road center line:

thence South 84 Degrees 36 Minutes 15 Seconds East	6.6 feet
thence South 75 Degrees 35 Minutes 43 Seconds East	40 feet
thence South 78 Degrees 29 Minutes 36 Seconds East	28.8 feet
thence South 73 Degrees 19 Minutes 26 Seconds East	37.1 feet
thence South 76 Degrees 53 Minutes 46 Seconds East	66.5 feet
thence South 79 Degrees 18 Minutes 03 Seconds East	49.8 feet
thence South 80 Degrees 16 Minutes 54 Seconds East	43.3 feet
thence South 80 Degrees 00 Minutes 36 Seconds East	7.3 feet
thence South 77 Degrees 47 Minutes 10 Seconds East	51.4 feet
thence South 81 Degrees 34 Minutes 07 Seconds East	47.5 feet
thence South 79 Degrees 00 Minutes 17 Seconds East	40.2 feet

thence South 73 Degrees 17 Minutes 05 Seconds East 38.1 feet
thence South 73 Degrees 36 Minutes 56 Seconds East 37.7 feet
thence South 70 Degrees 19 Minutes 54 Seconds East 42.3 feet
thence South 64 Degrees 54 Minutes 25 Seconds East 43.6 feet more or less to **the ending**
point at: 38 degrees 26 minutes 26.14 seconds North Latitude and -111 degrees 56 minutes 51.76 seconds
West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet
coordinates of X = 1,512,176.6 feet and Y = 10,488,752.3 feet.

Appendix B to Attachment 4

Popular Name: BOX CREEK TRAILHEAD ROAD

County: Piute

County Road Number: PCRD50A

State Geographic Information Database (SGID) Road Identification Number: RD160169.

Road-Segment Number: 004

Road-Segment Length: 0.06 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 1 West, Section(s) 19,20, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (BOX CREEK TRAILHEAD ROAD)-- Segment 004 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 26 minutes 27.26 seconds North Latitude and -111 degrees 56 minutes 28.84 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,514,001.1 feet and Y = 10,488,857.5 feet; thence the following courses along the said road center line:

thence North 13 Degrees 37 Minutes 51 Seconds East 50.4 feet

thence North 16 Degrees 48 Minutes 47 Seconds East 54.6 feet

thence North 23 Degrees 38 Minutes 51 Seconds East 9.7 feet

thence North 23 Degrees 20 Minutes 21 Seconds East 43.4 feet

thence North 31 Degrees 16 Minutes 15 Seconds East 57 feet

thence North 36 Degrees 10 Minutes 49 Seconds East 50.2 feet

thence North 52 Degrees 02 Minutes 15 Seconds East 43.5 feet

thence North 48 Degrees 59 Minutes 22 Seconds East 21.6 feet more or less to **the ending**

point at: 38 degrees 26 minutes 30.04 seconds North Latitude and -111 degrees 56 minutes 26.86 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,514,159.7 feet and Y = 10,489,137.6 feet.