

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

Recorded JUN 10 2008 Filing No. 74745
At 2:10 ~~AM~~/PM in Book P10 Page 1042
Fee No fee Debra L. Ames Rich County Recorder
Requested by Governor 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Rich County as it pertains to the highway located in Rich County known as NEBEKER SPRING ROAD; County Road Number: BR30; State Geographic Information Database (SGID) Road Identification Number: RD170127. Total road length is 1.17 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 5th day of JUNE, 2008.

By the Governor's Designee



John Harja

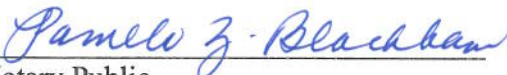
CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

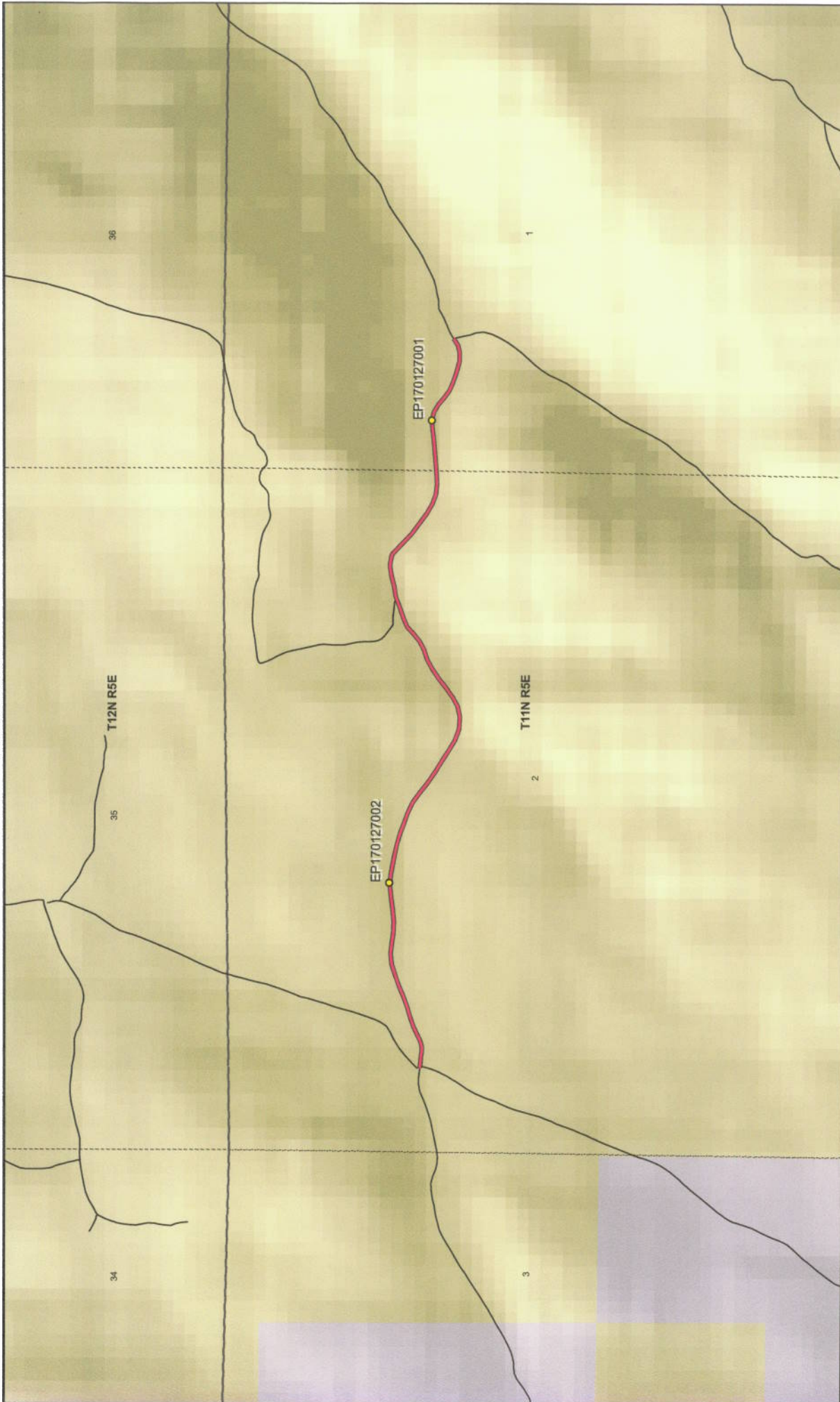
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 5th 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
Nov 27, 2006

NEBEKER SPRING ROAD - Rich County

SGID RD_ID RD170127

Transportation Network

- NEBEKER SPRING ROAD
- Other Roads
- Title V: Issued Or Under Consideration By BLM 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

1044

1:12,508
1 inch equals 0.2 miles

Attachment 2



EP170127001



EP170127002

EP000000000

EP000000000

EP000000000

EP000000000

Nebeker Spring Road - Rich County
SGID RD_ID RD170127

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
November 9, 2006



Attachment 3

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

Popular Name: NEBEKER SPRING ROAD

County: Rich

County Road Number: BR30

State Geographic Information Database (SGID) Road Identification Number: RD170127.

Total Road Length: 1.17 miles more or less.

Beginning at a point on the road centerline located at 41 degrees 43 minutes 27.89 seconds North Latitude and -111 degrees 21 minutes 35.35 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,678,684.2 feet and Y = 3,787,700.4 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 43 minutes 25.66 seconds North Latitude and -111 degrees 20 minutes 020.2 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,684,382.9 feet and Y = 3,787,484.3 feet based on the US Survey Foot conversion.

This road may traverse:

Township 11 North Range 5 East, Section(s) 1,2, 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: NEBEKER SPRING ROAD

County: Rich

County Road Number: BR30

State Geographic Information Database (SGID) Road Identification Number: RD170127.

Total Road Length: 1.17 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
RD170127	001	BLM	1.17 Miles	A
		Total Road Length	1.17	_____

* 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 RALPH E. ARGYLE

NEBEKER SPRING ROAD

RICH COUNTY, UTAH

ROAD NUMBER BR30

State of Utah)
 : ss.
County of Rich)

RALPH E. ARGYLE, 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 Rich County, Utah. I have lived in Rich County all of my life for 76 years.

2. I have traveled and am familiar with a road in Rich County known as Nebeker Spring Road. I am also familiar with the land the road traverses. Argyle Ranch owns property near the road. I am the president of Argyle Ranch. When I first used and observed the road in the early 1940s, it followed substantially the same route as in 2007 when I last observed it. Attached is a Rich County map showing Nebeker Spring 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, ATV's, jeeps, horses, trucks, cattle trucks, and automobiles. Throughout this time period, the road has been open for use daily, weather permitting, for more than ten continuous years prior to 1976, and was so used in 2007, when I last observed it.


5. Throughout the time period from the early 1940s to 2007, I have used the road myself for livestock operations, hunting, wood gathering travel in and through the area and recreation.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus access to private property.

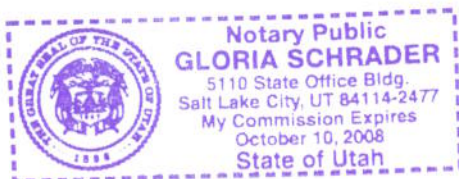
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s as a wagon road and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed the graded surface of the road and other evidence of maintenance and construction such as berms along the side of the road and dugways.

DATED this 11 day of March, 2008.


RALPH E. ARGYLE

SUBSCRIBED AND SWORN to before me this 11th day of March, 2008.




NOTARY PUBLIC

















1:12,508
1 inch equals 0.2 miles

Map prepared by the State of Utah
Automated Geographic Reference Center
AGRC
Room 8130 State Office Building
Salt Lake City, Utah 84114
Map 05-2008



Rich County NEBEKER SPRING ROAD County Unique - BR30

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



AFFIDAVIT OF GLEN HATCH THOMSON

NEBEKER SPRING ROAD

RICH COUNTY, UTAH

ROAD NUMBER BR30

State of Utah)
 : ss.
County of Rich)

GLEN HATCH THOMSON, 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 Rich County, Utah. I have lived in Rich County for 70 years.

2. I have traveled and am familiar with a road in Rich County known as Nebeker Spring Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1940s and followed the same route as in 2007 when I last observed it. Attached is a Rich County map showing Nebeker Spring 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 cars, trucks, ATVs, maintenance vehicles and jeeps. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and was so used in 2007.

5. Throughout the time period from the early 1940s to 2007, I have used the road

myself for livestock operations, water hauling, wood gathering, hunting, residential access and traveling in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus fire prevention access, government access, recreation and rock hounding.

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.

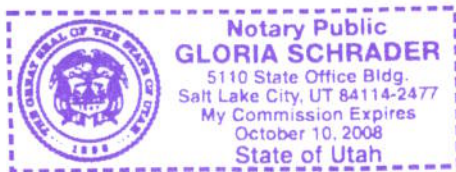
8. Prior to 1976, I observed graders performing maintenance and construction activities.

DATED this 10th day of March, 2008.



GLEN HATCH THOMSON


SUBSCRIBED AND SWORN to before me this 10th day of March, 2008.





NOTARY PUBLIC





 1:12,508

 1 inch equals 0.2 miles

Map prepared by the State of Utah



 Automated Geographic Reference Center

 AGRC

 Project 0330 Database File No. 04114

 State of Utah

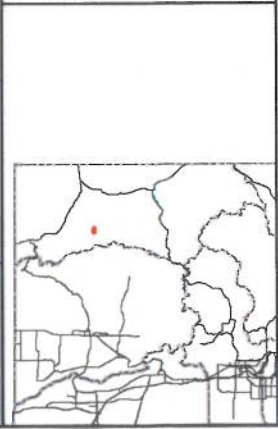
 Mar 05, 2008

Rich County
NEBEKER SPRING ROAD
County Unique - BR30

<p>Land Ownership Categories</p> <ul style="list-style-type: none"> BLM Private SITLA, State Trust Land USFS, National Forest 	<p>Misc</p> <ul style="list-style-type: none"> Wildlife Reserve State Park City / Town Municipalities 	<p>Transportation Network</p> <ul style="list-style-type: none"> NEBEKER SPRING ROAD State / U.S. Highway Local Roads
--	--	---

Section = 1 Mile



Appendix A to Attachment 4

Popular Name: NEBEKER SPRING ROAD

County: Rich

County Road Number: BR30

State Geographic Information Database (SGID) Road Identification Number: RD170127.

Road-Segment Number: 001

Road-Segment Length: 1.17 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 11 North Range 5 East, Section(s) 1,2, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (NEBEKER SPRING 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 41 degrees 43 minutes 27.89 seconds North Latitude and -111 degrees 21 minutes 35.35 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,678,684.2 feet and Y = 3,787,700.4 feet; thence the following courses along the said road center line:

thence South 83 Degrees 12 Minutes 24 Seconds East 7.9 feet
thence South 84 Degrees 11 Minutes 58 Seconds East 39.9 feet
thence South 84 Degrees 44 Minutes 57 Seconds East 43.9 feet
thence South 84 Degrees 16 Minutes 39 Seconds East 43.6 feet
thence South 88 Degrees 59 Minutes 02 Seconds East 27.9 feet
thence North 82 Degrees 45 Minutes 24 Seconds East 21.8 feet
thence North 70 Degrees 05 Minutes 02 Seconds East 36.2 feet
thence North 63 Degrees 16 Minutes 51 Seconds East 47.3 feet
thence North 64 Degrees 08 Minutes 32 Seconds East 64.7 feet
thence North 69 Degrees 32 Minutes 21 Seconds East 77.3 feet
thence North 73 Degrees 17 Minutes 28 Seconds East 83.8 feet

thence North 69 Degrees 17 Minutes 09 Seconds East 88.6 feet
 thence North 68 Degrees 35 Minutes 11 Seconds East 92.2 feet
 thence North 69 Degrees 38 Minutes 57 Seconds East 90.1 feet
 thence North 72 Degrees 15 Minutes 44 Seconds East 86.7 feet
 thence North 83 Degrees 12 Minutes 18 Seconds East 84.6 feet
 thence South 84 Degrees 58 Minutes 07 Seconds East 80.8 feet
 thence South 82 Degrees 15 Minutes 47 Seconds East 86.5 feet
 thence South 87 Degrees 20 Minutes 29 Seconds East 88.1 feet
 thence North 83 Degrees 52 Minutes 31 Seconds East 91.1 feet
 thence North 81 Degrees 30 Minutes 35 Seconds East 94.8 feet
 thence North 84 Degrees 45 Minutes 05 Seconds East 91.9 feet
 thence South 87 Degrees 18 Minutes 27 Seconds East 87.1 feet
 thence South 79 Degrees 59 Minutes 13 Seconds East 84.1 feet
 thence South 78 Degrees 22 Minutes 59 Seconds East 80.8 feet
 thence South 77 Degrees 43 Minutes 44 Seconds East 82.7 feet
 thence South 73 Degrees 59 Minutes 31 Seconds East 85.2 feet
 thence South 70 Degrees 39 Minutes 45 Seconds East 81.9 feet
 thence South 70 Degrees 16 Minutes 20 Seconds East 84.2 feet
 thence South 65 Degrees 04 Minutes 30 Seconds East 90 feet
 thence South 54 Degrees 25 Minutes 58 Seconds East 96.8 feet
 thence South 52 Degrees 43 Minutes 47 Seconds East 102.7 feet
 thence South 55 Degrees 38 Minutes 12 Seconds East 103.8 feet
 thence South 59 Degrees 55 Minutes 27 Seconds East 98.6 feet
 thence South 58 Degrees 02 Minutes 49 Seconds East 92.8 feet
 thence South 59 Degrees 03 Minutes 20 Seconds East 92.9 feet
 thence South 69 Degrees 20 Minutes 12 Seconds East 95.3 feet
 thence South 86 Degrees 44 Minutes 35 Seconds East 94.4 feet
 thence North 77 Degrees 16 Minutes 55 Seconds East 85.7 feet
 thence North 61 Degrees 03 Minutes 27 Seconds East 82.2 feet
 thence North 54 Degrees 07 Minutes 49 Seconds East 90.3 feet
 thence North 52 Degrees 52 Minutes 41 Seconds East 94.3 feet
 thence North 54 Degrees 55 Minutes 09 Seconds East 88.7 feet
 thence North 62 Degrees 05 Minutes 20 Seconds East 82.9 feet
 thence North 70 Degrees 42 Minutes 17 Seconds East 78.8 feet
 thence North 62 Degrees 52 Minutes 43 Seconds East 75 feet
 thence North 50 Degrees 03 Minutes 03 Seconds East 76.7 feet
 thence North 47 Degrees 11 Minutes 29 Seconds East 68.5 feet
 thence North 65 Degrees 42 Minutes 20 Seconds East 71.1 feet
 thence North 70 Degrees 22 Minutes 41 Seconds East 90.4 feet
 thence North 70 Degrees 02 Minutes 38 Seconds East 85 feet
 thence North 66 Degrees 02 Minutes 19 Seconds East 5.7 feet
 thence North 81 Degrees 32 Minutes 17 Seconds East 83.5 feet
 thence North 74 Degrees 38 Minutes 59 Seconds East 83.6 feet
 thence North 80 Degrees 43 Minutes 52 Seconds East 82.4 feet
 thence South 81 Degrees 17 Minutes 32 Seconds East 73.1 feet
 thence South 60 Degrees 41 Minutes 36 Seconds East 21.9 feet
 thence South 47 Degrees 24 Minutes 59 Seconds East 216.9 feet
 thence South 53 Degrees 39 Minutes 26 Seconds East 96.2 feet
 thence South 54 Degrees 53 Minutes 09 Seconds East 95.1 feet

thence South 59 Degrees 59 Minutes 02 Seconds East 89 feet
 thence South 71 Degrees 18 Minutes 49 Seconds East 81.6 feet
 thence South 83 Degrees 51 Minutes 15 Seconds East 75.6 feet
 thence North 87 Degrees 22 Minutes 02 Seconds East 73.6 feet
 thence North 85 Degrees 34 Minutes 31 Seconds East 37.7 feet
 thence North 85 Degrees 33 Minutes 09 Seconds East 35.7 feet
 thence North 85 Degrees 38 Minutes 23 Seconds East 70.1 feet
 thence North 84 Degrees 21 Minutes 13 Seconds East 70.9 feet
 thence North 84 Degrees 49 Minutes 11 Seconds East 73.8 feet
 thence North 83 Degrees 04 Minutes 35 Seconds East 74.3 feet
 thence North 84 Degrees 24 Minutes 08 Seconds East 71.5 feet
 thence South 74 Degrees 41 Minutes 22 Seconds East 68.2 feet
 thence South 58 Degrees 29 Minutes 11 Seconds East 62.2 feet
 thence South 50 Degrees 44 Minutes 37 Seconds East 66.4 feet
 thence South 54 Degrees 00 Minutes 17 Seconds East 69.3 feet
 thence South 64 Degrees 56 Minutes 37 Seconds East 64.3 feet
 thence South 71 Degrees 48 Minutes 19 Seconds East 65.1 feet
 thence South 73 Degrees 53 Minutes 29 Seconds East 62.6 feet
 thence South 77 Degrees 13 Minutes 06 Seconds East 59.3 feet
 thence South 88 Degrees 44 Minutes 26 Seconds East 59.1 feet
 thence North 76 Degrees 11 Minutes 06 Seconds East 57.7 feet
 thence North 58 Degrees 42 Minutes 16 Seconds East 63.2 feet more or less to **the ending**

point at: 41 degrees 43 minutes 25.66 seconds North Latitude and -111 degrees 20 minutes 020.2 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,684,382.9 feet and Y = 3,787,484.3 feet.