

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

Recorded JUN 10 2008 Filing No. 74762
At 3:55 AM/PM in Book P10 Page 1269
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 OLD DRY CUTOFF ROAD; County Road Number: BR35; State Geographic Information Database (SGID) Road Identification Number: RD170329. Total road length is 0.91 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

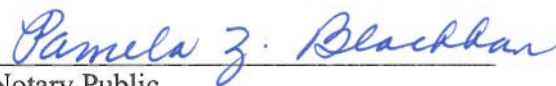
CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

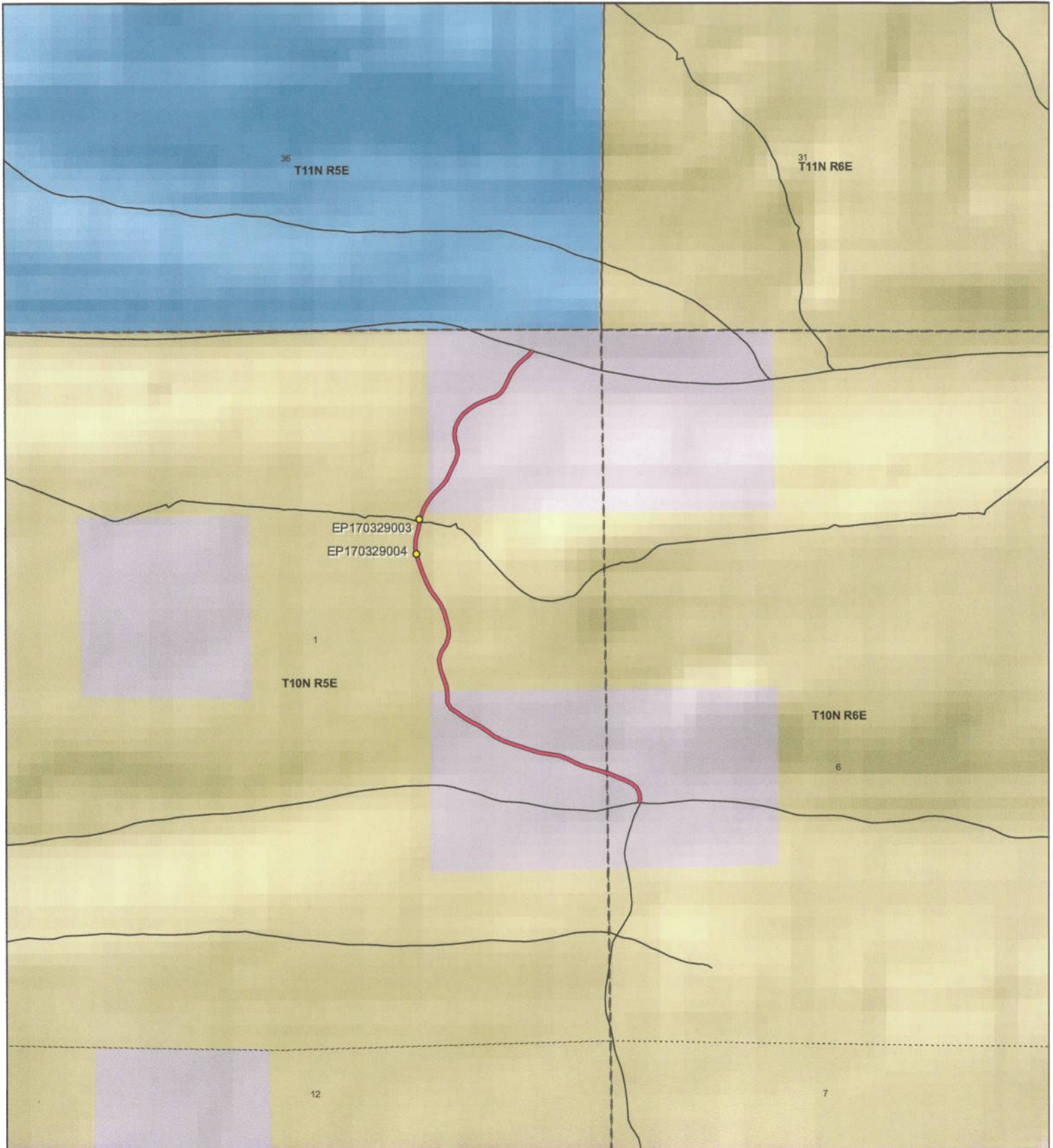
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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



OLD DRY CUTOFF ROAD - Rich County
SGID RD_ID RD170329

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

- OLD DRY CUTOFF ROAD
- Title V: Issued Or Under Consideration By BLM Or County
- Other Roads
- Photo Event Point
- Section = 1 Mile



1:11,803

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
 Nov 27, 2006



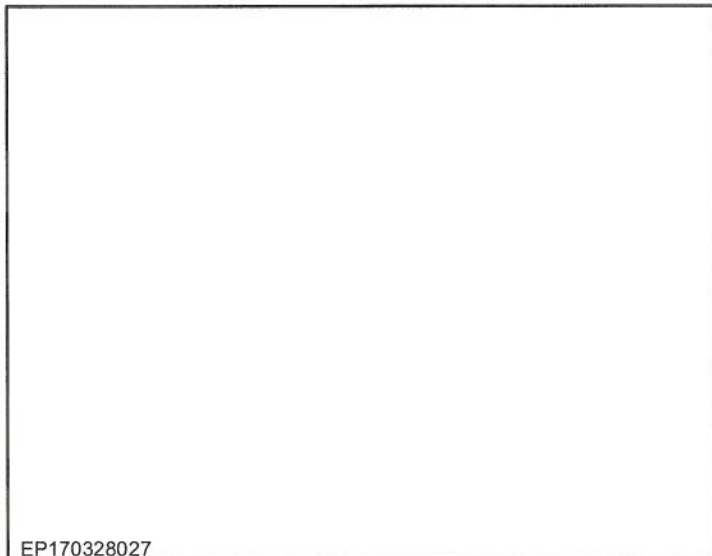
Attachment 2



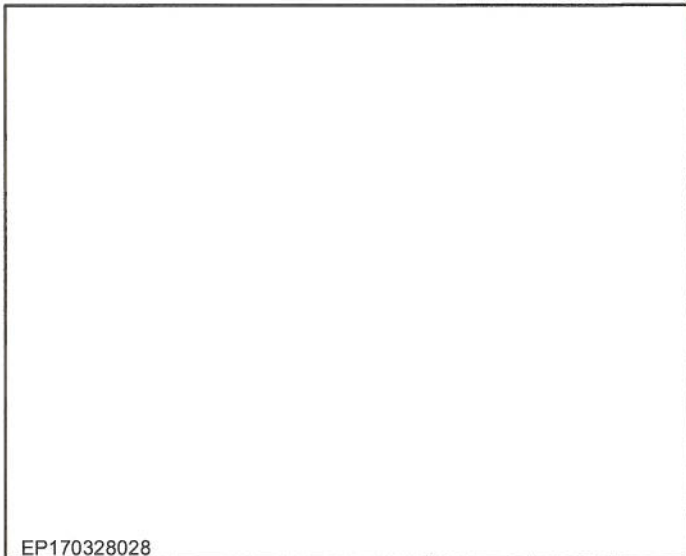
EP170329003



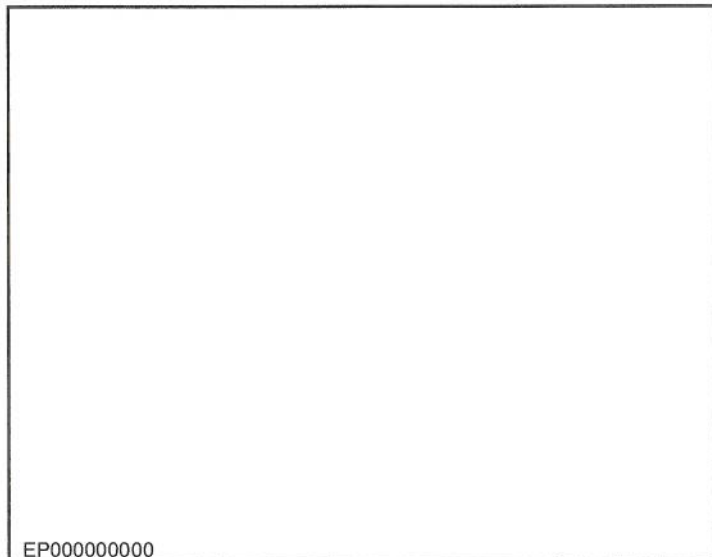
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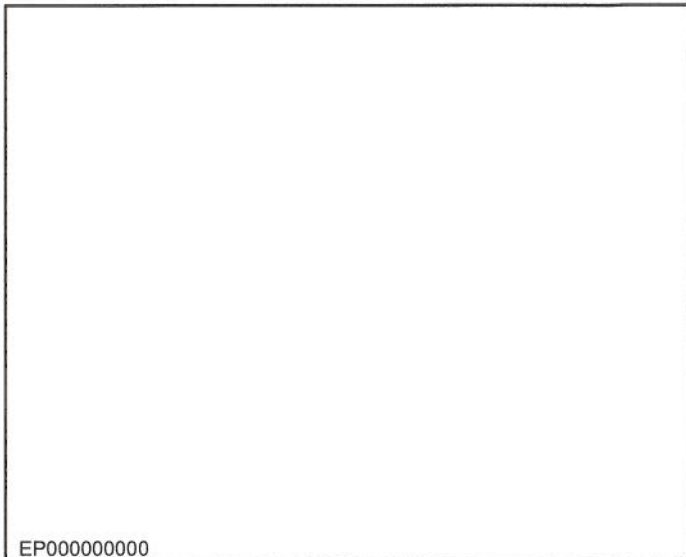
EP170328027



EP170328028



EP000000000



EP000000000



Old Dry Cutoff - Rich County
SGID RD_ID RD170329

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
November 10, 2006



Attachment 3

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

Popular Name: OLD DRY CUTOFF ROAD

County: Rich

County Road Number: BR35

State Geographic Information Database (SGID) Road Identification Number: RD170329.

Total Road Length: 0.91 miles more or less.

Beginning at a point on the road centerline located at 41 degrees 37 minutes 52.17 seconds North Latitude and -111 degrees 19 minutes 19.88 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,689,026.1 feet and Y = 3,753,737.8 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 38 minutes 25.86 seconds North Latitude and -111 degrees 19 minutes 30.57 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,688,207.2 feet and Y = 3,757,146.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 10 North Range 5 East, Section(s) 1, Salt Lake Base & Meridian

Township 10 North Range 6 East, Section(s) 6, 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: OLD DRY CUTOFF ROAD

County: Rich

County Road Number: BR35

State Geographic Information Database (SGID) Road Identification Number: RD170329.

Total Road Length: 0.91 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
RD170329	001	PVT	0.34 Miles	(not shown)
RD170329	002	BLM	0.29 Miles	A
RD170329	003	PVT	0.28 Miles	(not shown)
		Total Road Length	0.91	_____

* 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 GLEN HATCH THOMSON

OLD DRY CUTOFF ROAD

RICH COUNTY, UTAH

ROAD NUMBER BR35

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 Old Dry Cutoff 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 2007 when I last observed it. Attached is a Rich County map showing Old Dry Cutoff 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 2007. Throughout this time period I have observed travel on the road by various means, including cars, trucks, pickups, ATVs, maintenance vehicles and jeeps. Throughout this time period, the road has been used daily, weather permitting, for more than ten continuous years prior to 1976, and was so used in 2007.

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

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

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 prospecting for minerals, oil and gas exploration and government access.

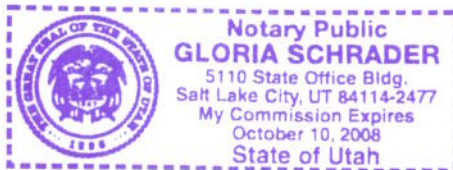
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 10th day of March, 2008.

Glen H Thomson
GLEN HATCH THOMSON

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



Gloria Schrader
NOTARY PUBLIC



Rich County
OLD DRY CUTOFF ROAD
County Unique - BR35

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- State Park

Transportation Network

- OLD DRY CUTOFF ROAD
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile

1278



1:11,643
 1 inch equals 0.2 miles



Map prepared by the State of Utah
 AGRC
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Mar 05, 2008



AFFIDAVIT OF BEN A. ARGYLE

OLD DRY CUTOFF ROAD

RICH COUNTY, UTAH

ROAD NUMBER BR35

State of Utah)
 : ss.
County of Rich)

BEN A. 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 for 61 years.

2. I have traveled and am familiar with a road in Rich County known as Old Dry Cutoff Road. I am also familiar with the land the road traverses. When I first used and observed the road in the mid 1950s, it followed the same route as in 2007 when I last observed it. Attached is a Rich County map showing Old Dry Cutoff 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 1950s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including cars, trucks, ATVs, pickups, snowmobiles, maintenance vehicles and jeeps. Throughout this time period, the road has been used daily, weather permitting, for more than ten continuous years prior to 1976, and was so used in 2007.

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


myself for livestock operations, hunting, fishing, wood gathering, camping, water pipeline 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 oil and gas exploration, tourism and government access.

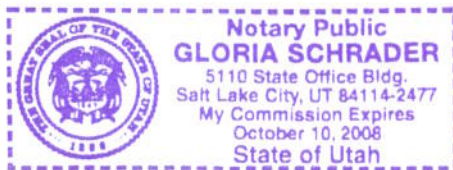
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

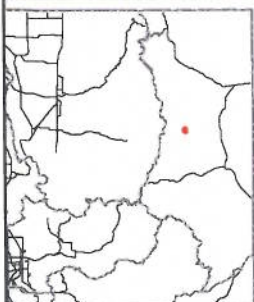
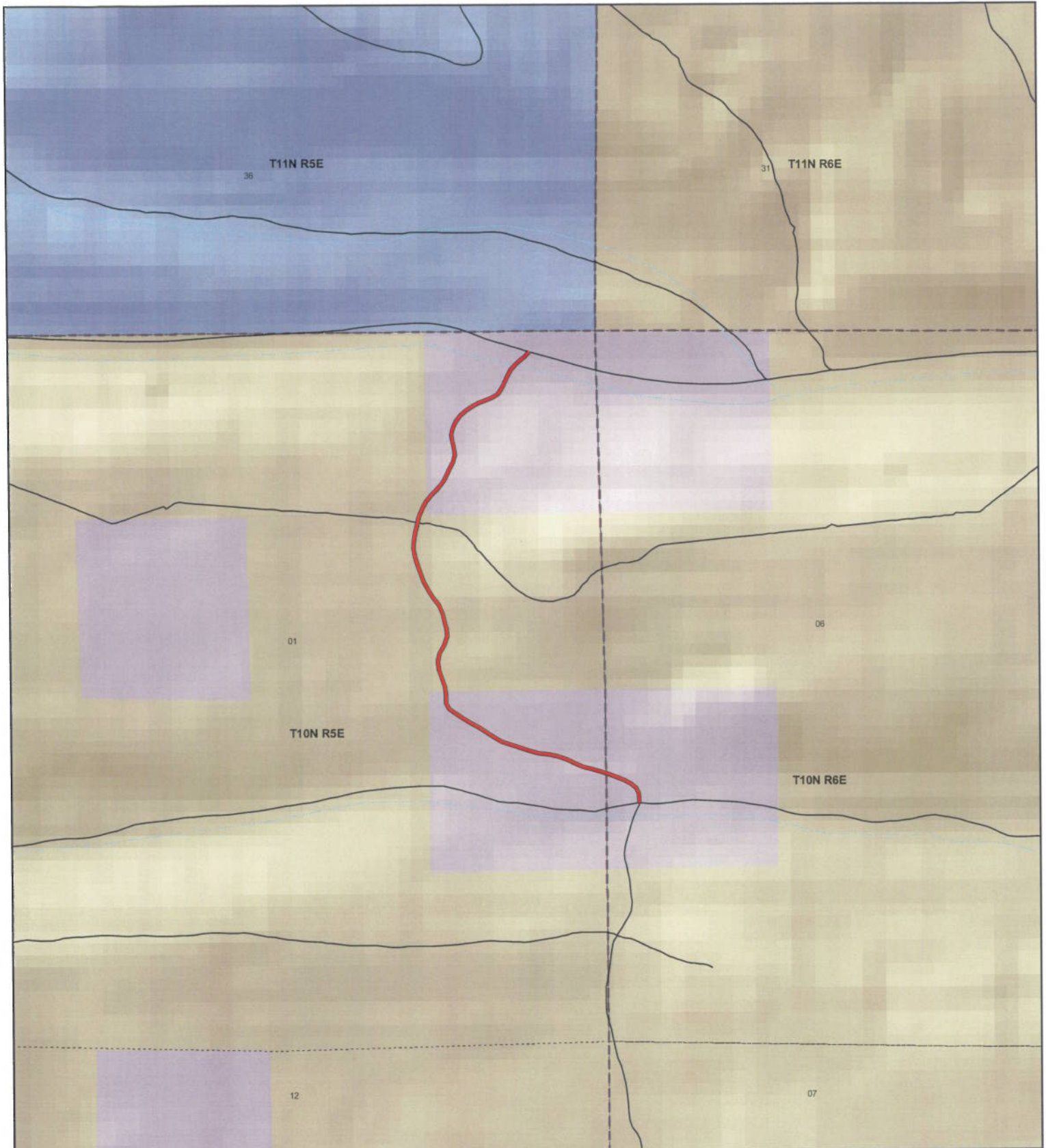
DATED this 10th day of March, 2008.


BEN A. ARGYLE

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




NOTARY PUBLIC



Rich County
OLD DRY CUTOFF ROAD
County Unique - BR35

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- State Park

Transportation Network

- OLD DRY CUTOFF ROAD
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile

1281



1:11,643
 1 inch equals 0.2 miles



Map prepared by the State of Utah
 AGRC
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Mar 05, 2008



Appendix A to Attachment 4

Popular Name: OLD DRY CUTOFF ROAD

County: Rich

County Road Number: BR35

State Geographic Information Database (SGID) Road Identification Number: RD170329.

Road-Segment Number: 002

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 10 North Range 5 East, Section(s) 1, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (OLD DRY CUTOFF 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 41 degrees 38 minutes 00.51 seconds North Latitude and -111 degrees 19 minutes 39.03 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,687,570.6 feet and Y = 3,754,579.6 feet; thence the following courses along the said road center line:

thence North 06 Degrees 53 Minutes 42 Seconds West 31.6 feet
thence North 19 Degrees 52 Minutes 34 Seconds West 69.7 feet
thence North 19 Degrees 38 Minutes 03 Seconds West 68.5 feet
thence North 08 Degrees 13 Minutes 22 Seconds West 66.9 feet
thence North 14 Degrees 50 Minutes 47 Seconds East 63.9 feet
thence North 31 Degrees 13 Minutes 26 Seconds East 70.9 feet
thence North 17 Degrees 14 Minutes 08 Seconds East 68.5 feet
thence North 04 Degrees 15 Minutes 51 Seconds West 52.6 feet
thence North 13 Degrees 26 Minutes 41 Seconds West 59.3 feet
thence North 15 Degrees 32 Minutes 12 Seconds West 66.3 feet
thence North 23 Degrees 25 Minutes 14 Seconds West 67.8 feet

thence North 37 Degrees 25 Minutes 26 Seconds West 67.5 feet
thence North 34 Degrees 43 Minutes 26 Seconds West 66.8 feet
thence North 28 Degrees 29 Minutes 02 Seconds West 68.9 feet
thence North 21 Degrees 37 Minutes 27 Seconds West 68.7 feet
thence North 19 Degrees 32 Minutes 38 Seconds West 68.8 feet
thence North 18 Degrees 45 Minutes 58 Seconds West 67.5 feet
thence North 11 Degrees 06 Minutes 56 Seconds West 63.1 feet
thence North 03 Degrees 14 Minutes 41 Seconds East 63.1 feet
thence North 12 Degrees 37 Minutes 17 Seconds East 67.4 feet
thence North 12 Degrees 31 Minutes 36 Seconds East 61.9 feet
thence North 13 Degrees 15 Minutes 16 Seconds East 40.5 feet
thence North 18 Degrees 06 Minutes 12 Seconds East 36.3 feet
thence North 21 Degrees 28 Minutes 12 Seconds East 46 feet

thence North 29 Degrees 51 Minutes 18 Seconds East 58.1 feet more or less to **the ending point at:** 41 degrees 38 minutes 14.66 seconds North Latitude and -111 degrees 19 minutes 040.9 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,687,425.4 feet and Y = 3,756,011.2 feet.