

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

Recorded NOV 13 2008 Filing No. 76060
At 9:15 AM/PM in Book S10 Page 736
Fee No Fee Debra L. Arnes Rich County Recorder
Requested by 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 AR128; County Road Number: AR128; State Geographic Information Database (SGID) Road Identification Number: RD170392. Total road length is 0.99 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 10th day of NOVEMBER, 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.

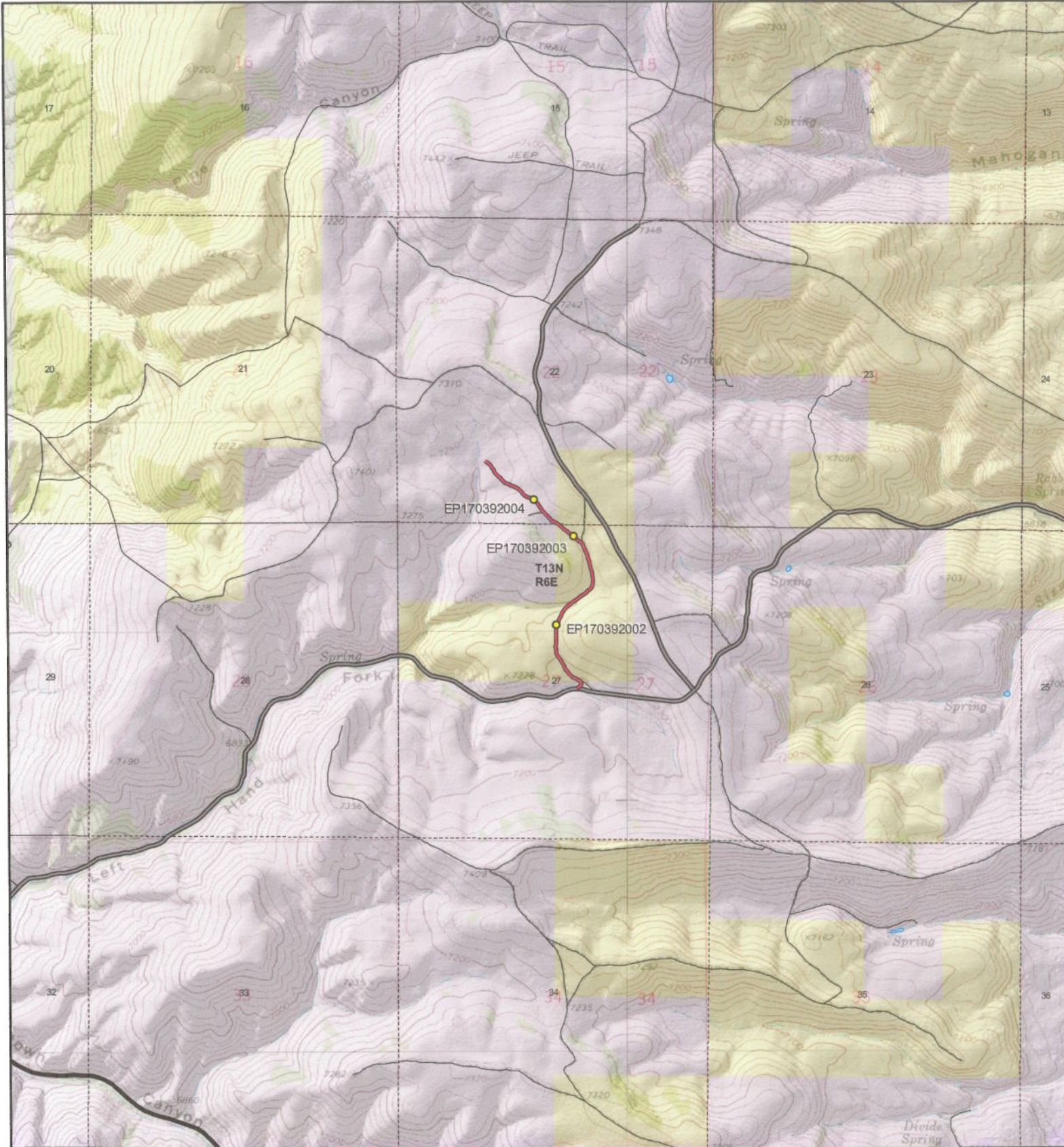
Dated this 10th day of November, 2008.





Notary Public

0737



AR128 - Rich County

SGID RD_ID RD170392 CO_UNIQUE AR128

Land Ownership Categories

- BLM
- Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ State Parks and Recreation
- ◆ UDWR Wildlife Reserve

Misc

- Photo Event Point
- Section = 1 Mile

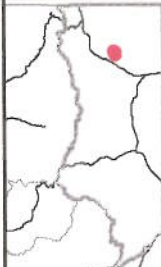
0738

Transportation Network

- AR128
- Title V: Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads



Scale
1:26,732
1 in = 0 miles



Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Oct 15, 2008





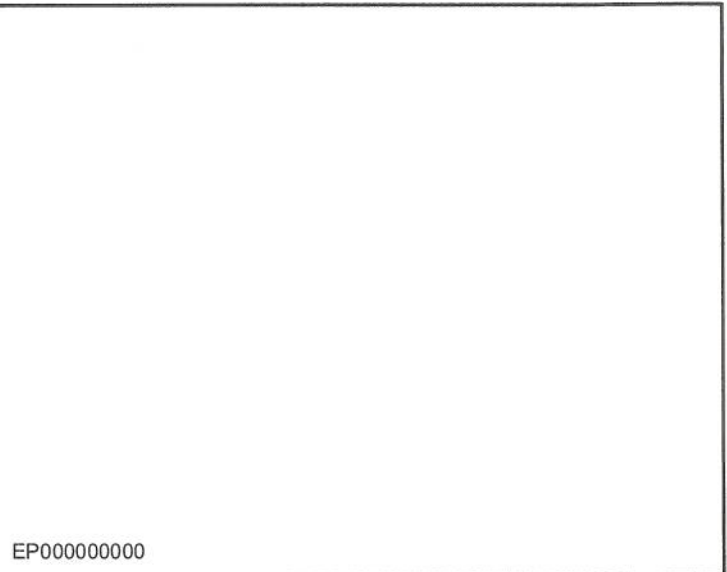
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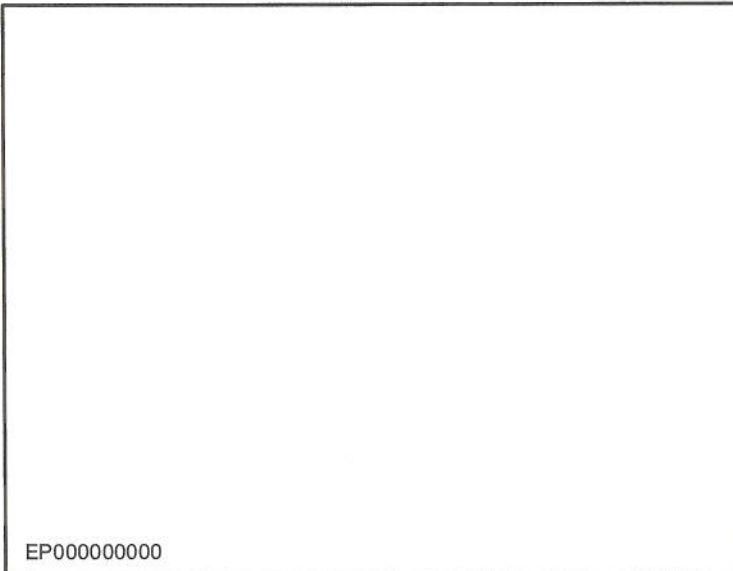
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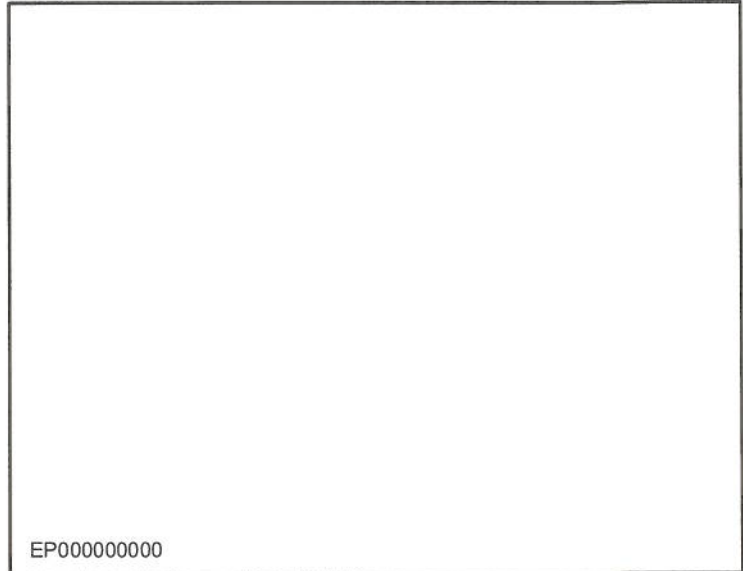
EP170392004



EP000000000



EP000000000



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**AR128 - Rich County
SGID RD_ID RD170392**

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
October 27, 2008

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Attachment 3

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

Popular Name: AR128

County: Rich

County Road Number: AR128

State Geographic Information Database (SGID) Road Identification Number: RD170392.

Total Road Length: 0.99 miles more or less.

Beginning at a point on the road centerline located at 41 degrees 50 minutes 18.56 seconds North Latitude and -111 degrees 15 minutes 14.21 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,707,467.7 feet and Y = 3,829,333.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 50 minutes 57.04 seconds North Latitude and -111 degrees 15 minutes 34.74 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,705,903.5 feet and Y = 3,833,223.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 13 North Range 6 East, Section(s) 22,27, Salt Lake Base & Meridian
See Attachment 1 above for a cartographic depiction of the course of this road.

0740

**Attachment 4
Road Centerline Description Cover Page(s)**

Popular Name: AR128

County: Rich

County Road Number: AR128

State Geographic Information Database (SGID) Road Identification Number: RD170392.

Total Road Length: 0.99 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
RD170392	001	PVT	0.03 Miles	(not shown)
RD170392	002	BLM	0.65 Miles	A
RD170392	003	PVT	0.31 Miles	(not shown)
		Total Road Length	0.99	_____

* 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.

0741

Attachment 5

AFFIDAVIT OF DOYLE ESTERHOLDT
RICH COUNTY, UTAH
RICH COUNTY D ROAD NO. AR128

State of Utah)
 : ss.
County of Rich)

I, DOYLE ESTERHOLDT, testify and declare under oath as follows:

1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on November 18, 1942, in Logan, Cache County, Utah, and have lived in Rich County for the last 65 years. From 1986 to 2005 I worked for the Rich County Road Department as a heavy equipment operator. I have also been a cattle rancher in northern Rich County for all of my adult life.

2. I have traveled and am familiar with Rich County Road No. AR128 and the land it traverses.

3. I took the following steps to verify that the road I refer to in this affidavit and Rich County Road No. AR128 (the " Road") are the same road:

a. I examined a large Rich County map depicting the Road in relation to other roads, intersections and landmarks. I initialed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.

b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the road I refer to herein.

c. I viewed aerial photography of the Road, as well as ground photography, and verified that the aerial and ground photography accurately depict the road I refer to in this affidavit.

4. I have personally traveled the Road from the late 1950s through 1976 and continuing until 2008, (“the Time Period of My Experience”). It is the reputation in the community that the Road was traveled as early as 1950, prior to my earliest recollection.

5. When I last traveled and observed the Road in 2008, it appeared to follow the same route as in the late 1950s, when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled weekly, weather permitting.

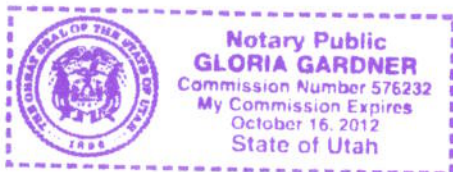
7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and ATV, and I have observed others from the general public traveling it by the same means.

8. During the Time Period of My Experience I have personally used the Road for hunting and livestock operations and I have observed others from the general public using the Road for the same purposes.

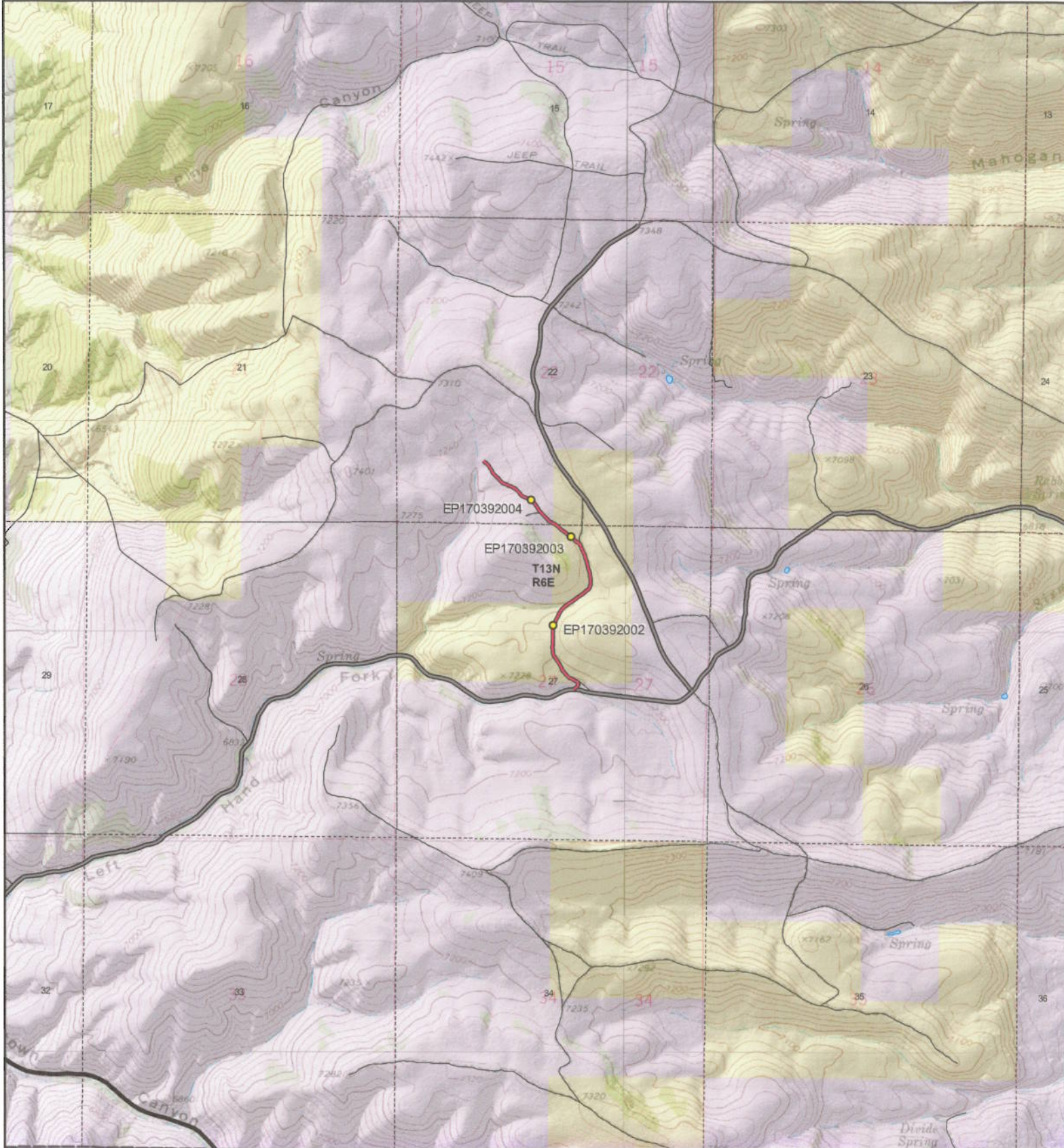
DATED this 20 day of October, 2008.


DOYLE ESTERHOLDT

SUBSCRIBED AND SWORN to before me this 20th day of October, 2008.




NOTARY PUBLIC

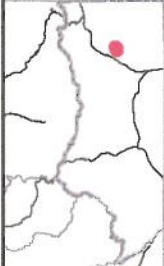


AR128 - Rich County

SGID RD_ID RD170392 CO_UNIQUE AR128

- | | | |
|--|---|--|
| Land Ownership Categories | Misc | Transportation Network |
| <ul style="list-style-type: none"> ◆ BLM ◆ Private ◆ SITLA, State Trust Land ◆ USFS, National Forest ◆ State Parks and Recreation ◆ UDWR Wildlife Reserve | <ul style="list-style-type: none"> ● Photo Event Point Section = 1 Mile | <ul style="list-style-type: none"> — AR128 — Title V: Issued Or Under Consideration By BLM Or County — County B Road — State / U.S. Highway — Other Roads |

0745



Scale
1:26,732
1 in = 0 miles

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Oct 15, 2008



AFFIDAVIT OF B. REED GROLL
RICH COUNTY, UTAH
RICH COUNTY D ROAD NO. AR128

State of Utah)
 : ss.
County of Rich)

I, B. REED GROLL, testify and declare under oath as follows:

1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on March 27, 1945, in Ogden, Utah. I have lived in Rich County for 60 years. I have been a cattle rancher for the past 50 years.

2. I have traveled and am familiar with Rich County Road No. AR 128 and the land it traverses.

3. I took the following steps to verify that the road I refer to in this affidavit and Rich County Road No. AR 128 (the " Road") are the same road:

a. I examined a large Rich County map depicting the Road in relation to other roads, intersections and landmarks. I initialed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.

b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the road I refer to herein.

c. I viewed aerial photography of the Road, as well as ground photography, and verified that the aerial and ground photography accurately depict the road I refer to in this affidavit.

4. I have personally traveled the Road from 1958 through 1976 and continuing until 2008, (“the Time Period of My Experience”). It is the reputation in the community that the Road was traveled as early as the 1940s, prior to my earliest recollection.

5. When I last traveled and observed the Road in 2008, it appeared to follow the same route as in 1958 when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled approximately daily, weather permitting throughout the year. The Road is accessible via Laketown Mountain Road.

7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck, truck with horse trailer and horseback, and I have observed others from the general public traveling it by the same means and others, including ATVs.

8. During the Time Period of My Experience I have personally used the Road for livestock operations and hunting and I have observed others from the general public using the Road for the same purposes.

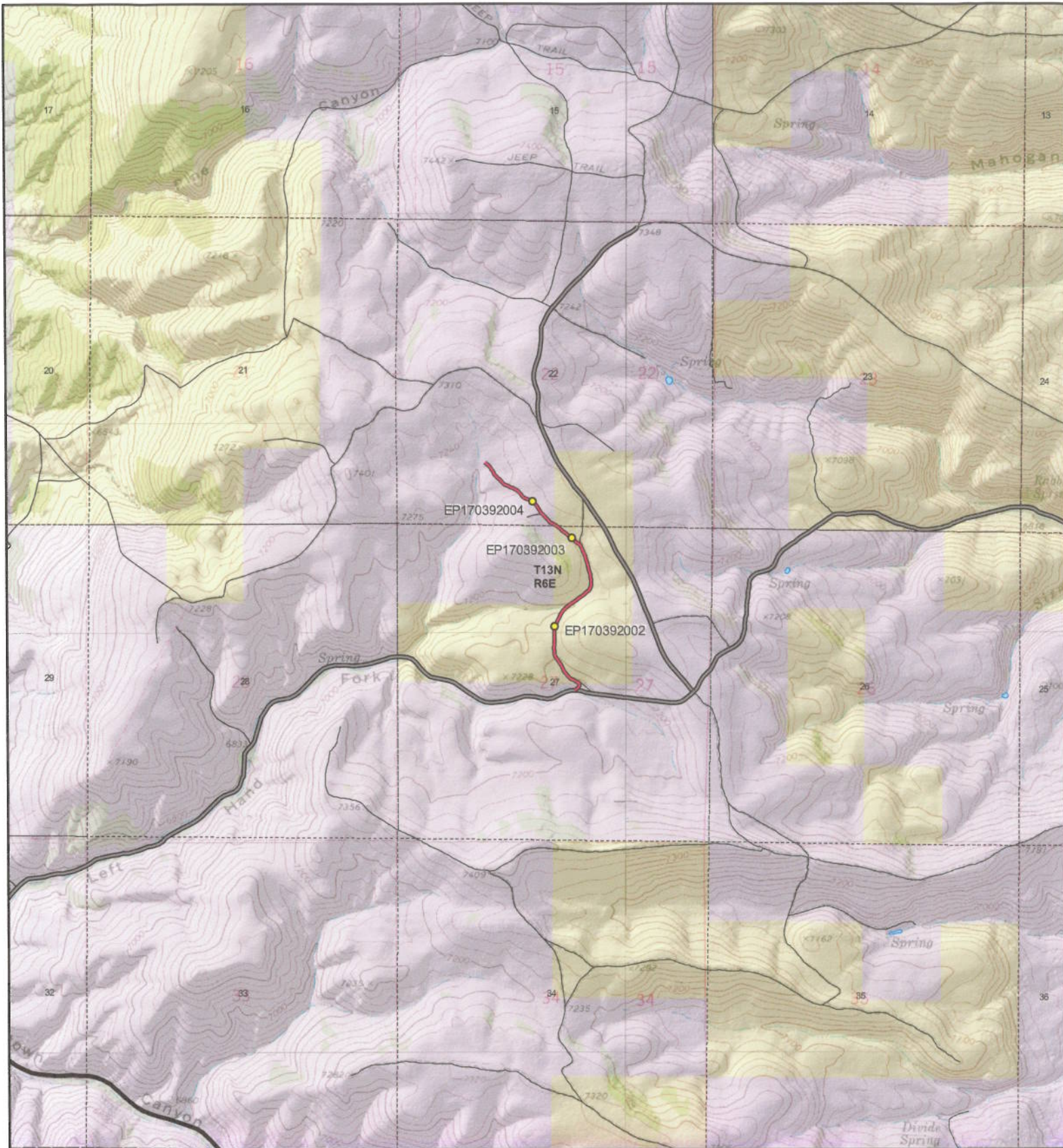
DATED this 20 day of October, 2008.

B Reed Groll
B. REED GROLL

SUBSCRIBED AND SWORN to before me this 20th day of October, 2008.



Gloria Gardner
NOTARY PUBLIC



AR128 - Rich County

SGID RD_ID RD170392 CO_UNIQUE AR128

Land Ownership Categories

- ◆ BLM
- ◆ Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ State Parks and Recreation
- ◆ UDWR Wildlife Reserve

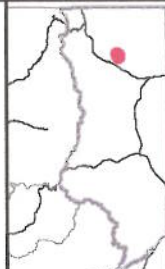
Misc

- Photo Event Point
- Section = 1 Mile

0748

Transportation Network

- AR128
- Title V: Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads



Scale
1:26,732
1 in = 0 miles

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Oct 15, 2008



Appendix A to Attachment 4

Popular Name: AR128

County: Rich

County Road Number: AR128

State Geographic Information Database (SGID) Road Identification Number: RD170392.

Road-Segment Number: 002

Road-Segment Length: 0.65 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 13 North Range 6 East, Section(s) 22,27, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR128)-- 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 50 minutes 19.72 seconds North Latitude and -111 degrees 15 minutes 13.17 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,707,546.1 feet and Y = 3,829,451.0 feet; thence the following courses along the said road center line:

thence North 46 Degrees 21 Minutes 59 Seconds West 21.8 feet
thence North 62 Degrees 13 Minutes 06 Seconds West 27.2 feet
thence North 62 Degrees 52 Minutes 50 Seconds West 28.5 feet
thence North 62 Degrees 39 Minutes 34 Seconds West 30.4 feet
thence North 63 Degrees 11 Minutes 47 Seconds West 29.5 feet
thence North 56 Degrees 49 Minutes 14 Seconds West 29.1 feet
thence North 53 Degrees 11 Minutes 05 Seconds West 27.2 feet
thence North 49 Degrees 34 Minutes 04 Seconds West 25.1 feet
thence North 45 Degrees 19 Minutes 53 Seconds West 29.7 feet
thence North 40 Degrees 25 Minutes 57 Seconds West 32.6 feet
thence North 37 Degrees 24 Minutes 50 Seconds West 35.4 feet
thence North 31 Degrees 22 Minutes 52 Seconds West 37.5 feet

thence North 28 Degrees 06 Minutes 40 Seconds West 41.5 feet
thence North 26 Degrees 30 Minutes 00 Seconds West 42.4 feet
thence North 28 Degrees 34 Minutes 08 Seconds West 40.2 feet
thence North 34 Degrees 32 Minutes 50 Seconds West 39.7 feet
thence North 37 Degrees 50 Minutes 39 Seconds West 41 feet
thence North 35 Degrees 27 Minutes 57 Seconds West 43.3 feet
thence North 27 Degrees 57 Minutes 27 Seconds West 39.6 feet
thence North 17 Degrees 19 Minutes 20 Seconds West 37.1 feet
thence North 05 Degrees 34 Minutes 43 Seconds West 32.3 feet
thence North 04 Degrees 22 Minutes 34 Seconds West 32.6 feet
thence North 02 Degrees 54 Minutes 38 Seconds West 36.5 feet
thence North 00 Degrees 09 Minutes 28 Seconds East 38.4 feet
thence North 04 Degrees 14 Minutes 32 Seconds East 41.2 feet
thence North 04 Degrees 41 Minutes 50 Seconds East 41.2 feet
thence North 03 Degrees 25 Minutes 12 Seconds East 40.1 feet
thence North 00 Degrees 09 Minutes 59 Seconds East 37.7 feet
thence North 02 Degrees 24 Minutes 51 Seconds West 36.1 feet
thence North 00 Degrees 19 Minutes 53 Seconds West 37.1 feet
thence North 01 Degrees 49 Minutes 45 Seconds East 34.8 feet
thence North 03 Degrees 42 Minutes 21 Seconds East 28 feet
thence North 10 Degrees 51 Minutes 48 Seconds East 32.1 feet
thence North 19 Degrees 50 Minutes 20 Seconds East 34.3 feet
thence North 24 Degrees 46 Minutes 59 Seconds East 34.8 feet
thence North 23 Degrees 25 Minutes 04 Seconds East 35.9 feet
thence North 25 Degrees 30 Minutes 18 Seconds East 34.6 feet
thence North 27 Degrees 42 Minutes 30 Seconds East 34.2 feet
thence North 26 Degrees 43 Minutes 46 Seconds East 33.9 feet
thence North 28 Degrees 50 Minutes 09 Seconds East 32.3 feet
thence North 31 Degrees 14 Minutes 14 Seconds East 32 feet
thence North 33 Degrees 21 Minutes 30 Seconds East 29.6 feet
thence North 38 Degrees 02 Minutes 09 Seconds East 30.1 feet
thence North 45 Degrees 04 Minutes 28 Seconds East 32.7 feet
thence North 52 Degrees 54 Minutes 52 Seconds East 32.4 feet
thence North 49 Degrees 42 Minutes 38 Seconds East 31.7 feet
thence North 47 Degrees 16 Minutes 15 Seconds East 30.7 feet
thence North 52 Degrees 08 Minutes 00 Seconds East 33.9 feet
thence North 57 Degrees 39 Minutes 46 Seconds East 37.2 feet
thence North 57 Degrees 36 Minutes 39 Seconds East 38.3 feet
thence North 57 Degrees 14 Minutes 08 Seconds East 37.3 feet
thence North 52 Degrees 47 Minutes 54 Seconds East 37.7 feet
thence North 53 Degrees 21 Minutes 49 Seconds East 39.9 feet
thence North 52 Degrees 21 Minutes 51 Seconds East 43.3 feet
thence North 51 Degrees 22 Minutes 41 Seconds East 39.7 feet
thence North 51 Degrees 00 Minutes 30 Seconds East 37.8 feet
thence North 48 Degrees 53 Minutes 26 Seconds East 34.7 feet
thence North 47 Degrees 13 Minutes 55 Seconds East 31.1 feet
thence North 40 Degrees 55 Minutes 31 Seconds East 24.9 feet
thence North 23 Degrees 11 Minutes 29 Seconds East 30.4 feet
thence North 14 Degrees 41 Minutes 12 Seconds East 41.8 feet

thence North 04 Degrees 47 Minutes 29 Seconds East 47.8 feet
thence North 02 Degrees 23 Minutes 30 Seconds West 45.7 feet
thence North 09 Degrees 19 Minutes 31 Seconds West 46.2 feet
thence North 10 Degrees 14 Minutes 53 Seconds West 47.6 feet
thence North 10 Degrees 05 Minutes 02 Seconds West 42.6 feet
thence North 11 Degrees 10 Minutes 19 Seconds West 31.4 feet
thence North 13 Degrees 31 Minutes 20 Seconds West 43.2 feet
thence North 16 Degrees 04 Minutes 25 Seconds West 50.8 feet
thence North 17 Degrees 05 Minutes 53 Seconds West 53.5 feet
thence North 18 Degrees 32 Minutes 55 Seconds West 54.6 feet
thence North 18 Degrees 20 Minutes 08 Seconds West 55.2 feet
thence North 22 Degrees 20 Minutes 08 Seconds West 51.7 feet
thence North 25 Degrees 25 Minutes 23 Seconds West 45.7 feet
thence North 27 Degrees 06 Minutes 52 Seconds West 38.6 feet
thence North 22 Degrees 54 Minutes 20 Seconds West 31.6 feet
thence North 23 Degrees 06 Minutes 07 Seconds West 28.8 feet
thence North 38 Degrees 01 Minutes 33 Seconds West 27.4 feet
thence North 55 Degrees 24 Minutes 02 Seconds West 25.2 feet
thence North 56 Degrees 26 Minutes 40 Seconds West 26.5 feet
thence North 52 Degrees 17 Minutes 04 Seconds West 28.8 feet
thence North 50 Degrees 18 Minutes 05 Seconds West 32.1 feet
thence North 45 Degrees 19 Minutes 53 Seconds West 35.3 feet
thence North 51 Degrees 20 Minutes 26 Seconds West 35.5 feet
thence North 54 Degrees 11 Minutes 22 Seconds West 36.2 feet
thence North 55 Degrees 47 Minutes 49 Seconds West 37.1 feet
thence North 50 Degrees 27 Minutes 35 Seconds West 36.4 feet
thence North 52 Degrees 13 Minutes 55 Seconds West 36.7 feet
thence North 53 Degrees 51 Minutes 44 Seconds West 37.5 feet
thence North 43 Degrees 39 Minutes 24 Seconds West 39.7 feet
thence North 44 Degrees 03 Minutes 31 Seconds West 41.8 feet
thence North 49 Degrees 13 Minutes 55 Seconds West 40.9 feet
thence North 59 Degrees 08 Minutes 48 Seconds West 4.4 feet
thence North 59 Degrees 11 Minutes 56 Seconds West 32.4 feet
thence North 64 Degrees 02 Minutes 36 Seconds West 30.4 feet
thence North 66 Degrees 47 Minutes 57 Seconds West 2.2 feet more or less to **the ending point**

at: 41 degrees 50 minutes 46.69 seconds North Latitude and -111 degrees 15 minutes 018.9 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,707,105.2 feet and Y = 3,832,179.2 feet.