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

Recorded NOV 13 2008 Filing No. 76097
At 9:15 AM/PM in Book 510 Page 1217
Fee No Fee Debra L. Ames 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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 AR167; County Road Number: AR167; State Geographic Information Database (SGID) Road Identification Number: RD170442. Total road length is 0.94 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)

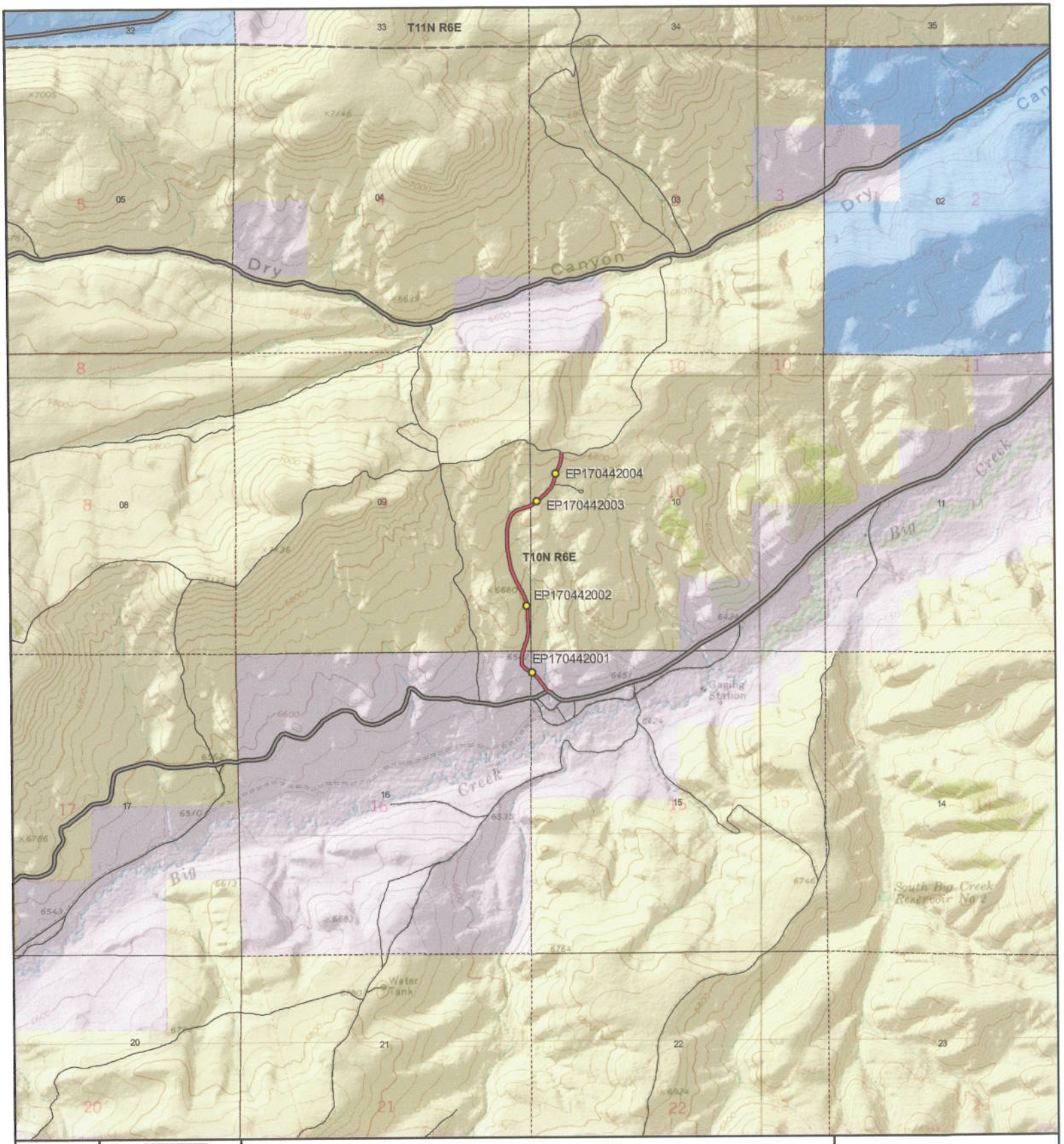
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

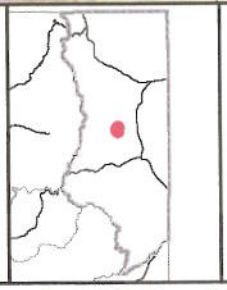
Dated this 10th day of November, 2008.

NOTARY PUBLIC
PAMELA Z. BLACKHAM
5110 State Office Bldg
Salt Lake City, Utah 84114
COMMISSION EXPIRES
May 3, 2011
STATE OF UTAH

Pamela Z. Blackham
Notary Public

1218





Scale
1:27,176
1 in = 0 miles

AR167 - Rich County
SGID RD_ID RD170442 CO_UNIQUE AR167

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

Transportation Network
- AR167
- Title V: Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads

1219

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

EP170442001

EP170442002

EP170442003

EP170442004

EP000000000

EP000000000

AR167 - Rich County
SGID RD_ID RD170442

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

1220

Attachment 3

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

Popular Name: AR167
County: Rich
County Road Number: AR167
State Geographic Information Database (SGID) Road Identification Number: RD170442.
Total Road Length: 0.94 miles more or less.

Beginning at a point on the road centerline located at 41 degrees 36 minutes 34.63 seconds North Latitude and -111 degrees 15 minutes 51.88 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,704,842.4 feet and Y = 3,745,927.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 37 minutes 16.38 seconds North Latitude and -111 degrees 15 minutes 48.71 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,705,072.1 feet and Y = 3,750,154.2 feet based on the US Survey Foot conversion.

This road may traverse:

Township 10 North Range 6 East, Section(s) 9,10,15,16, 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: AR167
County: Rich
County Road Number: AR167
State Geographic Information Database (SGID) Road Identification Number: RD170442.
Total Road Length: 0.94 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
RD170442	001	PVT	0.17 Miles	(not shown)
RD170442	002	BLM	0.76 Miles	A
		Total Road Length	0.94	_____

*** 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 WAYNE ARGYLE, JR.

RICH COUNTY, UTAH

RICH COUNTY D ROAD NO. AR167

State of Utah)
: ss.
County of Rich)

I, WAYNE ARGYLE, JR., 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 October 5, 1941 in Woodruff, Utah. I have lived in Rich County for 65 years. I have been a cattle rancher for the past 30 years.

2. I have traveled and am familiar with Rich County Road No. AR 167 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 167 (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 1957 through 1976 and continuing until 2006, ("the Time Period of My Experience"). It is the reputation in the community that the Road was traveled as early as the early 1900s, prior to my earliest recollection.

5. When I last traveled and observed the Road in 2006, it appeared to follow the same route as in 1957 when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled approximately weekly, weather permitting during grazing season, and monthly, weather permitting throughout the remainder of the year.

7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and horseback, and I have observed others from the general public traveling it by the same means and others, including jeeps and 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 and others including oil and gas exploration and traveling in and through the area.

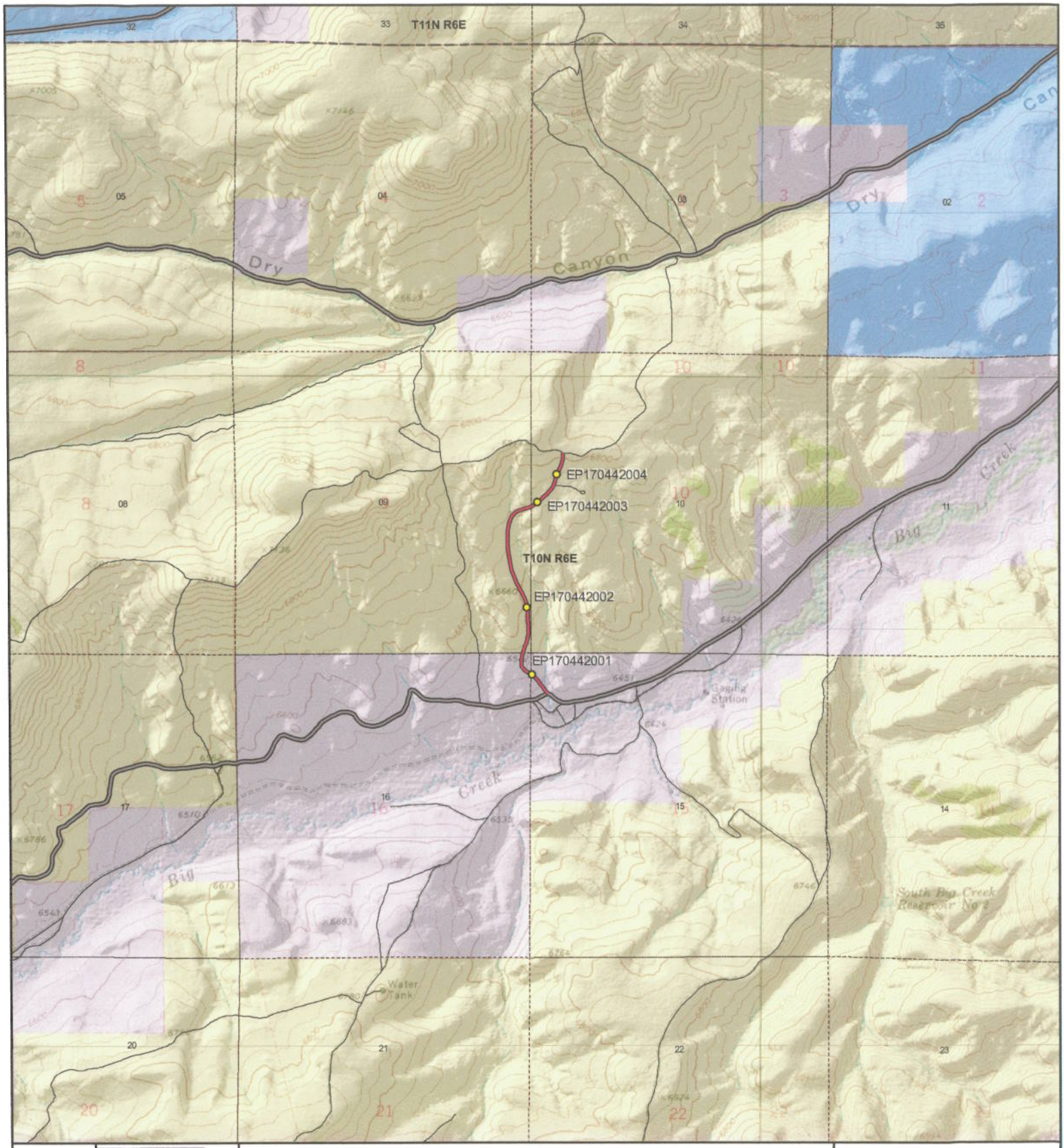
DATED this 21 day of October, 2008.

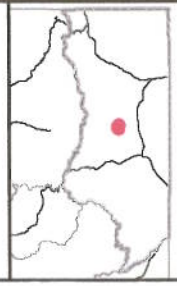
Wayne Argyle Jr
WAYNE ARGYLE, JR.

SUBSCRIBED AND SWORN to before me this 21st day of October, 2008.

Notary Public
GLORIA GARDNER
Commission Number 576232
My Commission Expires
October 16, 2012
State of Utah

Gloria Gardner
NOTARY PUBLIC





Scale
1:27,176
1 in = 0 miles

AR167 - Rich County
SGID RD_ID RD170442 CO_UNIQUE AR167

Land Ownership Categories
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Misc
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1226

Transportation Network
- AR167
- Title V: Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads

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 KENNETH R. BROWN

RICH COUNTY, UTAH

RICH COUNTY D ROAD NO. AR167

State of Utah)
: ss.
County of Rich)

I, KENNETH R. BROWN, 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 April 24, 1938 in Woodruff, Utah. I have lived in Rich County for 50 years. I have been a cattle rancher for the past 40 years. I was a Rich County Commissioner from 1982 to 1996.

2. I have traveled and am familiar with Rich County Road No. AR 167 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 167 (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 1964 through 1976 and continuing until 2003, ("the Time Period of My Experience"). It is the reputation in the community that the Road was traveled as early as the early 1900s, prior to my earliest recollection.

5. When I last traveled and observed the Road in 2003, it appeared to follow the same route as in 1964 when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled approximately weekly, weather permitting during grazing season, and monthly, weather permitting throughout the remainder of the year.

7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and horseback, and I have observed others from the general public traveling it by the same means and others, including jeeps and 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 and others including recreation, oil and gas exploration, traveling in and through the area, fire control, trapping and predator control.

DATED this 20 day of October, 2008.

Kenneth R. Brown

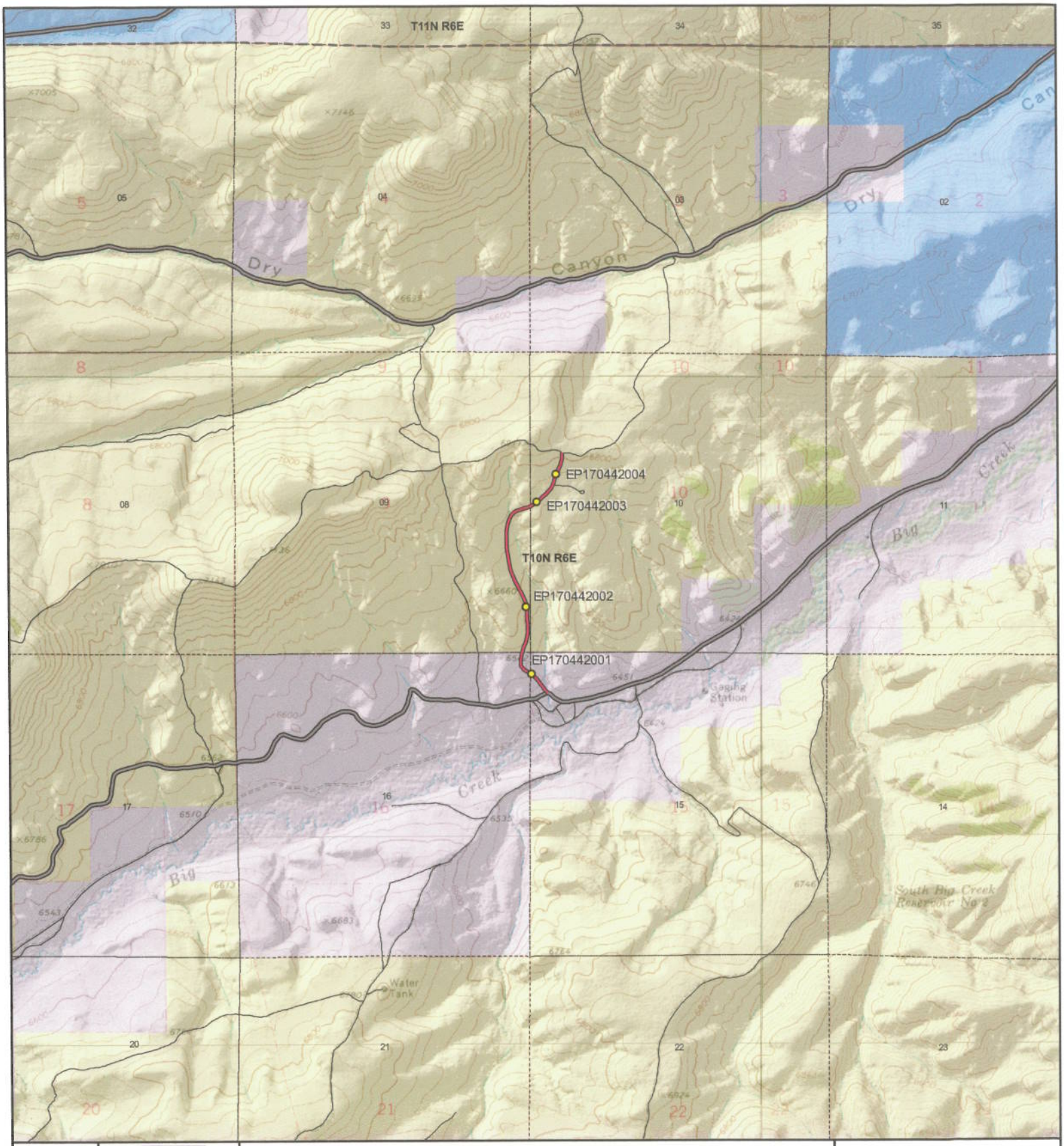
KENNETH R. BROWN

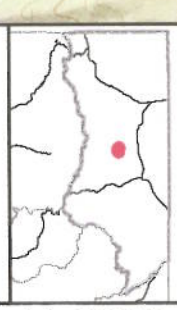
SUBSCRIBED AND SWORN to before me this 20th day of October, 2008.

Notary Public
GLORIA GARDNER
Commission Number 576232
My Commission Expires
October 16, 2012
State of Utah

Gloria Gardner

NOTARY PUBLIC





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AR167 - Rich County
SGID RD_ID RD170442 CO_UNIQUE AR167

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1229

Transportation Network
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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: AR167
County: Rich
County Road Number: AR167
State Geographic Information Database (SGID) Road Identification Number: RD170442.
Road-Segment Number: 002
Road-Segment Length: 0.76 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 6 East, Section(s) 9,10, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR167)-- 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 36 minutes 41.67 seconds North Latitude and -111 degrees 15 minutes 57.85 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,704,387.3 feet and Y = 3,746,638.8 feet; thence the following courses along the said road center line:

thence North 14 Degrees 30 Minutes 32 Seconds East 7.9 feet
thence North 13 Degrees 36 Minutes 02 Seconds East 21.8 feet
thence North 17 Degrees 30 Minutes 33 Seconds East 30 feet
thence North 19 Degrees 15 Minutes 11 Seconds East 36.2 feet
thence North 21 Degrees 17 Minutes 32 Seconds East 39.2 feet
thence North 21 Degrees 32 Minutes 42 Seconds East 46.7 feet
thence North 18 Degrees 19 Minutes 52 Seconds East 52.3 feet
thence North 12 Degrees 24 Minutes 51 Seconds East 56.5 feet
thence North 03 Degrees 11 Minutes 08 Seconds East 58.9 feet
thence North 00 Degrees 19 Minutes 51 Seconds West 59.1 feet
thence North 00 Degrees 39 Minutes 16 Seconds West 58.1 feet
thence North 01 Degrees 17 Minutes 47 Seconds West 58.4 feet

thence North 02 Degrees 50 Minutes 52 Seconds West 59.8 feet
thence North 02 Degrees 47 Minutes 37 Seconds West 61.1 feet
thence North 01 Degrees 34 Minutes 34 Seconds West 60.4 feet
thence North 00 Degrees 58 Minutes 55 Seconds West 57.8 feet
thence North 04 Degrees 48 Minutes 31 Seconds West 54.6 feet
thence North 11 Degrees 30 Minutes 17 Seconds West 54.2 feet
thence North 17 Degrees 24 Minutes 33 Seconds West 57 feet
thence North 24 Degrees 07 Minutes 41 Seconds West 57.8 feet
thence North 27 Degrees 28 Minutes 23 Seconds West 58.3 feet
thence North 26 Degrees 53 Minutes 45 Seconds West 58 feet
thence North 26 Degrees 53 Minutes 45 Seconds West 58.7 feet
thence North 27 Degrees 18 Minutes 58 Seconds West 60 feet
thence North 26 Degrees 20 Minutes 27 Seconds West 60.6 feet
thence North 25 Degrees 56 Minutes 19 Seconds West 61.5 feet
thence North 24 Degrees 45 Minutes 00 Seconds West 62.7 feet
thence North 20 Degrees 46 Minutes 49 Seconds West 62 feet
thence North 17 Degrees 12 Minutes 25 Seconds West 61 feet
thence North 14 Degrees 35 Minutes 25 Seconds West 61.3 feet
thence North 11 Degrees 17 Minutes 06 Seconds West 62.2 feet
thence North 11 Degrees 28 Minutes 40 Seconds West 67.9 feet
thence North 09 Degrees 14 Minutes 08 Seconds West 72.1 feet
thence North 08 Degrees 25 Minutes 27 Seconds West 72.3 feet
thence North 07 Degrees 51 Minutes 17 Seconds West 70.2 feet
thence North 04 Degrees 53 Minutes 39 Seconds West 70.1 feet
thence North 01 Degrees 08 Minutes 30 Seconds West 69.6 feet
thence North 01 Degrees 52 Minutes 17 Seconds East 68.3 feet
thence North 03 Degrees 02 Minutes 07 Seconds East 67.1 feet
thence North 04 Degrees 44 Minutes 10 Seconds East 66.9 feet
thence North 10 Degrees 45 Minutes 45 Seconds East 68.2 feet
thence North 17 Degrees 05 Minutes 13 Seconds East 70.2 feet
thence North 22 Degrees 02 Minutes 57 Seconds East 84.5 feet
thence North 43 Degrees 35 Minutes 17 Seconds East 49.2 feet
thence North 52 Degrees 35 Minutes 23 Seconds East 53.9 feet
thence North 64 Degrees 36 Minutes 25 Seconds East 50.4 feet
thence North 71 Degrees 28 Minutes 29 Seconds East 49.4 feet
thence North 73 Degrees 06 Minutes 43 Seconds East 50.7 feet
thence North 72 Degrees 42 Minutes 33 Seconds East 48.4 feet
thence North 70 Degrees 51 Minutes 10 Seconds East 46.8 feet
thence North 68 Degrees 57 Minutes 03 Seconds East 38 feet
thence North 69 Degrees 03 Minutes 56 Seconds East 9.3 feet
thence North 62 Degrees 24 Minutes 49 Seconds East 48.7 feet
thence North 57 Degrees 21 Minutes 42 Seconds East 52.8 feet
thence North 49 Degrees 19 Minutes 01 Seconds East 57.3 feet
thence North 46 Degrees 13 Minutes 01 Seconds East 34.4 feet
thence North 45 Degrees 40 Minutes 26 Seconds East 26.5 feet
thence North 45 Degrees 47 Minutes 00 Seconds East 59.7 feet
thence North 46 Degrees 23 Minutes 30 Seconds East 61.8 feet
thence North 44 Degrees 15 Minutes 45 Seconds East 65.4 feet
thence North 40 Degrees 44 Minutes 42 Seconds East 64.4 feet

thence North 33 Degrees 21 Minutes 32 Seconds East 53.3 feet
thence North 19 Degrees 51 Minutes 34 Seconds East 54.2 feet
thence North 14 Degrees 44 Minutes 15 Seconds East 44.2 feet
thence North 15 Degrees 51 Minutes 29 Seconds East 42.4 feet
thence North 17 Degrees 57 Minutes 01 Seconds East 38.7 feet
thence North 20 Degrees 31 Minutes 24 Seconds East 36.9 feet
thence North 21 Degrees 44 Minutes 58 Seconds East 37.5 feet
thence North 24 Degrees 42 Minutes 54 Seconds East 38.8 feet
thence North 24 Degrees 09 Minutes 05 Seconds East 40.4 feet
thence North 22 Degrees 13 Minutes 11 Seconds East 41.9 feet
thence North 19 Degrees 28 Minutes 04 Seconds East 43.6 feet
thence North 17 Degrees 50 Minutes 49 Seconds East 46.3 feet
thence North 11 Degrees 52 Minutes 49 Seconds East 45 feet
thence North 02 Degrees 59 Minutes 12 Seconds East 45.4 feet
thence North 06 Degrees 33 Minutes 24 Seconds West 18.2 feet
thence North 00 Degrees 19 Minutes 51 Seconds West 9.5 feet
thence North 02 Degrees 40 Minutes 54 Seconds East 6.2 feet
thence North 04 Degrees 24 Minutes 59 Seconds West 13.8 feet
thence North 29 Degrees 41 Minutes 19 Seconds West 12.1 feet more or less to **the ending point at:** 41 degrees 37 minutes 16.38 seconds North Latitude and -111 degrees 15 minutes 48.71 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,705,072.1 feet and Y = 3,750,154.2 feet.