

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

Ent 146983 Bk 208 Pg 813
Date: 08-MAY-2008 9:56AM
Fee: None
Filed By: CB
COLLEEN BRINKERHOFF, Recorder
WAYNE COUNTY
For: GOVERNOR OF 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Wayne County as it pertains to the highway located in Wayne County known as MIXING PAD ROAD; County Road Number: 105_2; State Geographic Information Database (SGID) Road Identification Number: RD280265. Total road length is 0.89 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

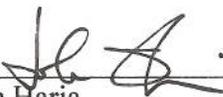
Internet at <http://recorded2477roads.utah.gov>.

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 23rd day of April, 2008.

By the Governor's Designee



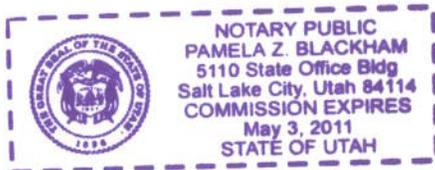
John Harja

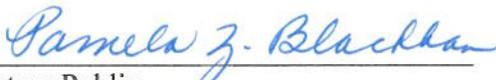
CERTIFICATION

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.

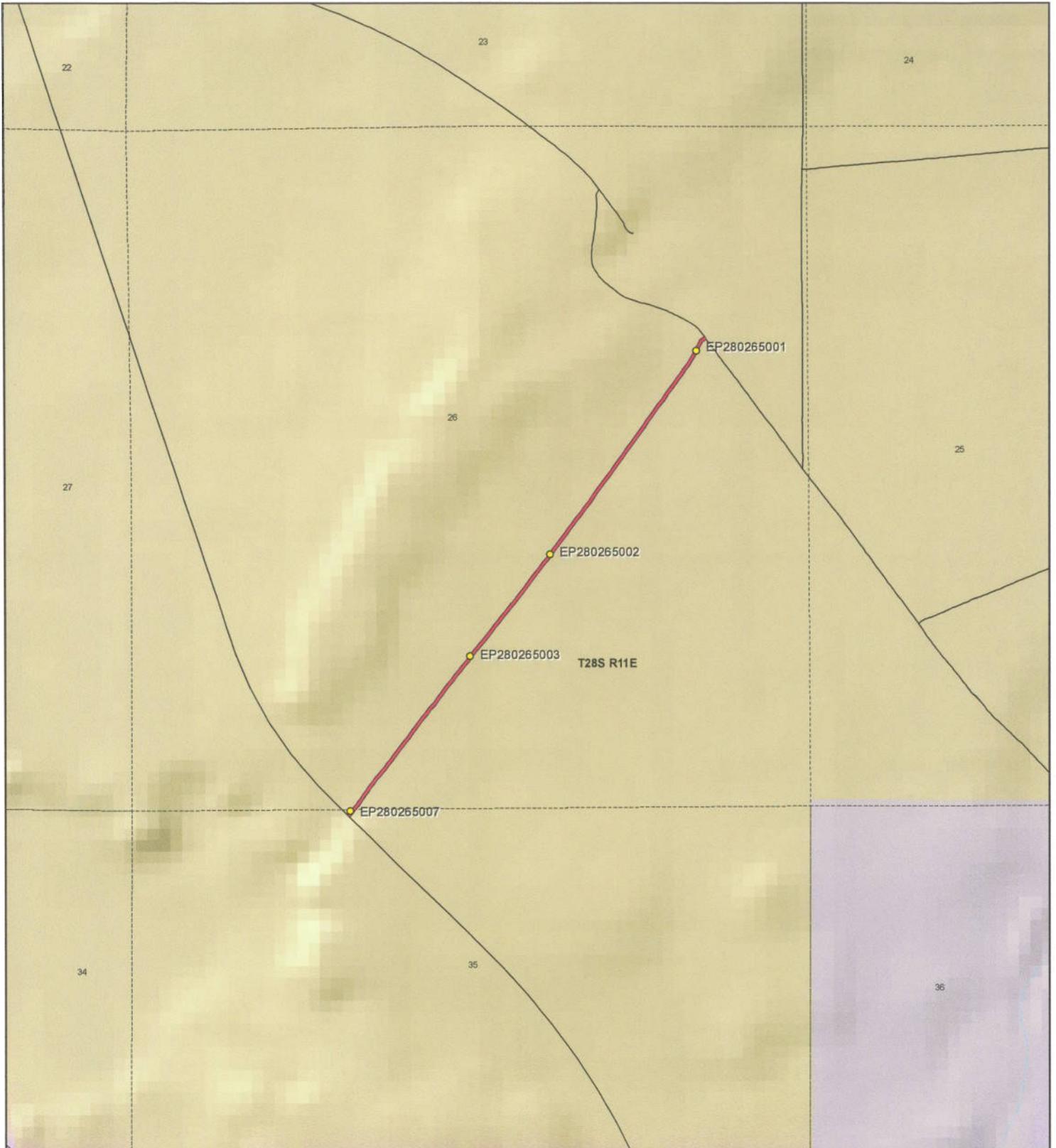
Dated this 23rd day of April, 2008.





Notary Public

Attachment 1



<p>1:12,261 1 inch equals 0.2 miles</p>		<p align="center">MIXING PAD ROAD - Wayne County SGID RD_ID RD280265</p> <table border="0"> <tr> <td colspan="2">Land Ownership Categories</td> <td>Transportation Network</td> </tr> <tr> <td>● BLM</td> <td>◆ Wilderness</td> <td>— MIXING PAD ROAD</td> </tr> <tr> <td>● Private</td> <td>◆ UDWR Wildlife Reserve</td> <td>— Title V, Issued Or Under Consideration By BLM Or County</td> </tr> <tr> <td>● SITLA, State Trust Land</td> <td>◆ DOD, Military</td> <td>— Other Roads</td> </tr> <tr> <td>● USFS, National Forest</td> <td>◆ State Sovereign Land</td> <td>● Photo Event Point</td> </tr> <tr> <td>● State Parks and Recreation</td> <td>◆ National Recreation Area</td> <td>□ Section = 1 Mile</td> </tr> <tr> <td>● Tribal, Indian Reservation</td> <td>◆ USFWS, Natl. Wildlife Refuge</td> <td></td> </tr> <tr> <td>● NPS, National Park</td> <td></td> <td></td> </tr> </table>	Land Ownership Categories		Transportation Network	● BLM	◆ Wilderness	— MIXING PAD ROAD	● Private	◆ UDWR Wildlife Reserve	— Title V, Issued Or Under Consideration By BLM Or County	● SITLA, State Trust Land	◆ DOD, Military	— Other Roads	● USFS, National Forest	◆ State Sovereign Land	● Photo Event Point	● State Parks and Recreation	◆ National Recreation Area	□ Section = 1 Mile	● Tribal, Indian Reservation	◆ USFWS, Natl. Wildlife Refuge		● NPS, National Park			<p>Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 Mar 12, 2008</p>
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● NPS, National Park																											

Attachment 2



EP280265001



EP280265002



EP280265003



EP280265007

EP000000000

EP000000000

MIXING PAD ROAD - Wayne County
SGID RD_ID RD280265



Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
March 24, 2008



Attachment 3

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

Popular Name: MIXING PAD ROAD

County: Wayne

County Road Number: 105_2

State Geographic Information Database (SGID) Road Identification Number: RD280265.

Total Road Length: 0.89 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 20 minutes 15.37 seconds North Latitude and -110 degrees 41 minutes 16.46 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,873,352.8 feet and Y = 10,451,948.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 20 minutes 52.28 seconds North Latitude and -110 degrees 40 minutes 41.09 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,876,137.5 feet and Y = 10,455,706.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 28 South Range 11 East, Section(s) 26,35, 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: MIXING PAD ROAD

County: Wayne

County Road Number: 105_2

State Geographic Information Database (SGID) Road Identification Number: RD280265.

Total Road Length: 0.89 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
RD280265	001	BLM	0.89 Miles	A
		Total Road Length	0.89	_____

* 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 JOHN D. JACKSON

MIXING PAD ROAD

WAYNE COUNTY, UTAH

ROAD NUMBER 105_2

State of Utah)
 : ss.
County of Wayne)

JOHN D. JACKSON, 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 Wayne County, Utah. I have lived in Wayne County for 58 years.

2. I have traveled and am familiar with a road in Wayne County known as Mixing Pad Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in 2007 when I last observed it. Attached is a Wayne County map showing Mixing Pad 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 1960s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including trucks, cars, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and is presently used daily.

5. Throughout the time period from the early 1960s to 2007, I have used the road myself for hunting and trapping.

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: gravel pit access and livestock operations.

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.

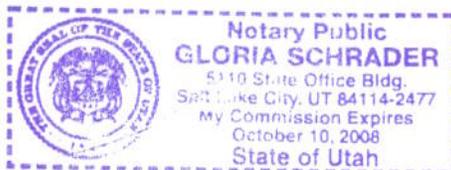
8. Prior to 1976, I observed the graded surface of the road.

DATED this 19 day of April, 2007.



JOHN D. JACKSON

SUBSCRIBED AND SWORN to before me this 19th day of April, 2007.





NOTARY PUBLIC



T28S R11E



MIXING PAD ROAD
County Unique - 105_2

Land Ownership Categories

- ◆ BLM
- ◆ Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ Wildlife Reserve
- ◆ National Park / Monument
- ◆ National Rec. Area

Transportation Network

- MIXING PAD ROAD
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities



1:12,041
 1 inch equals 0.2 miles



Map prepared by the State of Utah
 AGRC
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Apr 12, 2007



Ents 146983 Bk 0200

AFFIDAVIT OF DEAN EKKER

MIXING PAD ROAD

WAYNE COUNTY, UTAH

ROAD NUMBER 105_2

State of Utah)
 : ss.
County of Wayne)

DEAN EKKER, 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 Wayne County, Utah. I have lived in Wayne County for most of the past 69 years.

2. I have traveled and am familiar with a road in Wayne County known as Mixing Pad Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950s, it followed the same route as in 2007 when I last observed it. Attached is a Wayne County map showing Mixing Pad 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 1950s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including trucks, cars, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and is presently used daily.

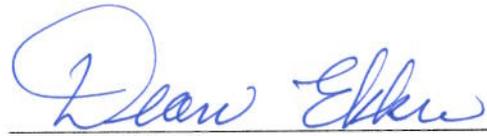
5. Throughout the time period from the early 1950s to 2007, I have used the road myself for trapping, hunting and livestock operations and recreation.

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: government access, oil and gas exploration and tourism 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 early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

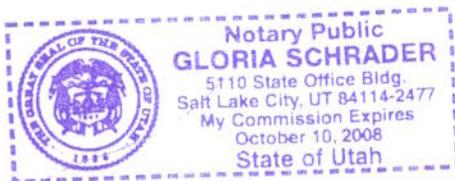
8. Prior to 1976, I observed the graded surface of the road.

DATED this 19 day of April, 2007.



DEAN EKKER

SUBSCRIBED AND SWORN to before me this 19th day of April, 2007.





NOTARY PUBLIC



MIXING PAD ROAD
County Unique - 105_2

Land Ownership Categories

- ◆ BLM
- ◆ Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ Wildlife Reserve
- ◆ National Park / Monument
- ◆ National Rec. Area

Transportation Network

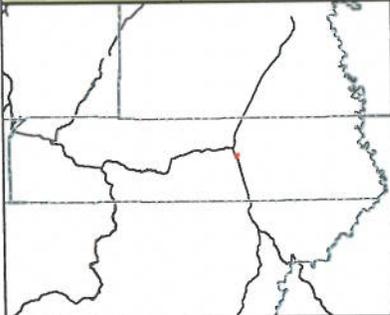
- MIXING PAD ROAD
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities



1:12,041
 1 inch equals 0.2 miles



Ent 146903 Bk 0208



Map prepared by the State of Utah
 AGRC
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Apr 12, 2007



Appendix A to Attachment 4

Popular Name: MIXING PAD ROAD

County: Wayne

County Road Number: 105_2

State Geographic Information Database (SGID) Road Identification Number: RD280265.

Road-Segment Number: 001

Road-Segment Length: 0.89 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 28 South Range 11 East, Section(s) 26,35, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (MIXING PAD 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 38 degrees 20 minutes 15.37 seconds North Latitude and -110 degrees 41 minutes 16.46 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,873,352.8 feet and Y = 10,451,948.7 feet; thence the following courses along the said road center line:

thence North 40 Degrees 14 Minutes 41 Seconds East	38.9 feet
thence North 40 Degrees 57 Minutes 10 Seconds East	24.9 feet
thence North 38 Degrees 35 Minutes 51 Seconds East	3 feet
thence North 38 Degrees 36 Minutes 01 Seconds East	21 feet
thence North 36 Degrees 09 Minutes 54 Seconds East	18.8 feet
thence North 34 Degrees 49 Minutes 48 Seconds East	21.7 feet
thence North 35 Degrees 56 Minutes 59 Seconds East	24.4 feet
thence North 33 Degrees 00 Minutes 23 Seconds East	27.5 feet
thence North 34 Degrees 41 Minutes 17 Seconds East	28 feet
thence North 34 Degrees 41 Minutes 17 Seconds East	28 feet
thence North 34 Degrees 25 Minutes 51 Seconds East	30 feet

thence North 35 Degrees 09 Minutes 57 Seconds East 32.2 feet
thence North 37 Degrees 28 Minutes 18 Seconds East 33.2 feet
thence North 40 Degrees 03 Minutes 38 Seconds East 34.5 feet
thence North 40 Degrees 21 Minutes 10 Seconds East 36.8 feet
thence North 39 Degrees 30 Minutes 05 Seconds East 38.5 feet
thence North 39 Degrees 05 Minutes 01 Seconds East 40.3 feet
thence North 38 Degrees 00 Minutes 17 Seconds East 41.8 feet
thence North 36 Degrees 18 Minutes 11 Seconds East 42.9 feet
thence North 37 Degrees 20 Minutes 37 Seconds East 43.5 feet
thence North 37 Degrees 20 Minutes 37 Seconds East 43.5 feet
thence North 37 Degrees 03 Minutes 45 Seconds East 45.4 feet
thence North 37 Degrees 03 Minutes 45 Seconds East 45.4 feet
thence North 36 Degrees 43 Minutes 56 Seconds East 45.2 feet
thence North 36 Degrees 23 Minutes 56 Seconds East 45 feet
thence North 37 Degrees 03 Minutes 45 Seconds East 45.4 feet
thence North 35 Degrees 11 Minutes 11 Seconds East 46.4 feet
thence North 37 Degrees 42 Minutes 53 Seconds East 45.8 feet
thence North 37 Degrees 42 Minutes 53 Seconds East 45.8 feet
thence North 37 Degrees 42 Minutes 54 Seconds East 45.8 feet
thence North 38 Degrees 40 Minutes 19 Seconds East 46.4 feet
thence North 36 Degrees 48 Minutes 15 Seconds East 47.3 feet
thence North 37 Degrees 23 Minutes 25 Seconds East 45.6 feet
thence North 36 Degrees 48 Minutes 15 Seconds East 47.3 feet
thence North 35 Degrees 56 Minutes 59 Seconds East 48.8 feet
thence North 37 Degrees 07 Minutes 11 Seconds East 47.5 feet
thence North 37 Degrees 25 Minutes 58 Seconds East 47.7 feet
thence North 38 Degrees 03 Minutes 02 Seconds East 48.1 feet
thence North 38 Degrees 03 Minutes 02 Seconds East 48.1 feet
thence North 37 Degrees 44 Minutes 35 Seconds East 47.9 feet
thence North 38 Degrees 21 Minutes 21 Seconds East 48.3 feet
thence North 38 Degrees 21 Minutes 21 Seconds East 48.3 feet
thence North 37 Degrees 32 Minutes 17 Seconds East 50.3 feet
thence North 38 Degrees 52 Minutes 49 Seconds East 50.4 feet
thence North 38 Degrees 04 Minutes 31 Seconds East 52.3 feet
thence North 39 Degrees 13 Minutes 07 Seconds East 51.1 feet
thence North 37 Degrees 47 Minutes 33 Seconds East 52.1 feet
thence North 37 Degrees 47 Minutes 33 Seconds East 52.1 feet
thence North 38 Degrees 04 Minutes 31 Seconds East 52.3 feet
thence North 37 Degrees 47 Minutes 33 Seconds East 52.1 feet
thence North 37 Degrees 47 Minutes 33 Seconds East 52.1 feet
thence North 38 Degrees 04 Minutes 31 Seconds East 52.3 feet
thence North 37 Degrees 47 Minutes 33 Seconds East 52.1 feet
thence North 37 Degrees 47 Minutes 33 Seconds East 52.1 feet
thence North 36 Degrees 25 Minutes 28 Seconds East 53.2 feet
thence North 37 Degrees 30 Minutes 27 Seconds East 51.9 feet
thence North 37 Degrees 30 Minutes 27 Seconds East 51.9 feet
thence North 36 Degrees 25 Minutes 28 Seconds East 53.2 feet
thence North 36 Degrees 42 Minutes 24 Seconds East 53.4 feet
thence North 37 Degrees 47 Minutes 33 Seconds East 52.1 feet

thence North 36 Degrees 42 Minutes 24 Seconds East 53.4 feet
 thence North 36 Degrees 25 Minutes 28 Seconds East 53.2 feet
 thence North 36 Degrees 25 Minutes 28 Seconds East 53.2 feet
 thence North 35 Degrees 38 Minutes 43 Seconds East 53.1 feet
 thence North 36 Degrees 08 Minutes 25 Seconds East 53 feet
 thence North 36 Degrees 08 Minutes 25 Seconds East 53 feet
 thence North 36 Degrees 42 Minutes 24 Seconds East 53.4 feet
 thence North 36 Degrees 42 Minutes 24 Seconds East 53.4 feet
 thence North 35 Degrees 40 Minutes 22 Seconds East 54.8 feet
 thence North 36 Degrees 59 Minutes 12 Seconds East 53.6 feet
 thence North 35 Degrees 56 Minutes 59 Seconds East 54.9 feet
 thence North 35 Degrees 40 Minutes 22 Seconds East 54.8 feet
 thence North 35 Degrees 56 Minutes 59 Seconds East 54.9 feet
 thence North 36 Degrees 59 Minutes 12 Seconds East 53.6 feet
 thence North 36 Degrees 13 Minutes 29 Seconds East 55.1 feet
 thence North 35 Degrees 14 Minutes 01 Seconds East 56.5 feet
 thence North 35 Degrees 56 Minutes 59 Seconds East 54.9 feet
 thence North 35 Degrees 56 Minutes 59 Seconds East 54.9 feet
 thence North 34 Degrees 41 Minutes 17 Seconds East 56.1 feet
 thence North 35 Degrees 56 Minutes 59 Seconds East 54.9 feet
 thence North 34 Degrees 41 Minutes 17 Seconds East 56.1 feet
 thence North 35 Degrees 40 Minutes 22 Seconds East 54.8 feet
 thence North 35 Degrees 23 Minutes 38 Seconds East 54.6 feet
 thence North 34 Degrees 24 Minutes 45 Seconds East 55.9 feet
 thence North 36 Degrees 08 Minutes 26 Seconds East 53 feet
 thence North 35 Degrees 23 Minutes 38 Seconds East 54.6 feet
 thence North 35 Degrees 51 Minutes 15 Seconds East 52.8 feet
 thence North 35 Degrees 16 Minutes 31 Seconds East 52.5 feet
 thence North 35 Degrees 16 Minutes 31 Seconds East 52.5 feet
 thence North 35 Degrees 27 Minutes 00 Seconds East 50.6 feet
 thence North 34 Degrees 32 Minutes 02 Seconds East 50 feet
 thence North 35 Degrees 11 Minutes 11 Seconds East 46.4 feet
 thence North 35 Degrees 22 Minutes 52 Seconds East 44.4 feet
 thence North 34 Degrees 30 Minutes 16 Seconds East 42 feet
 thence North 34 Degrees 04 Minutes 35 Seconds East 37.8 feet
 thence North 34 Degrees 12 Minutes 16 Seconds East 31.9 feet
 thence North 32 Degrees 19 Minutes 53 Seconds East 79.1 feet
 thence North 29 Degrees 34 Minutes 57 Seconds East 32.9 feet
 thence North 23 Degrees 47 Minutes 00 Seconds East 30.6 feet
 thence North 20 Degrees 54 Minutes 50 Seconds East 29.9 feet
 thence North 27 Degrees 35 Minutes 36 Seconds East 25.3 feet
 thence North 57 Degrees 38 Minutes 19 Seconds East 38.3 feet more or less to **the ending**

point at: 38 degrees 20 minutes 52.28 seconds North Latitude and -110 degrees 40 minutes 41.09 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 foot coordinates of X = 1,876,137.5 feet and Y = 10,455,706.8 feet.