

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

Ent 129725 Bk 675 Pg 395
Date: 23-JUN-2008 12:25PM
Fee: None
Filed By: KR
VIKKI BARNETT, Recorder
CARBON COUNTY CORPORATION
For: UTAH STATE

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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Carbon County as it pertains to the highway located in Carbon County known as HALEY BENCH SPUR ROAD; County Road Number: 2706; State Geographic Information Database (SGID) Road Identification Number: RD040005. Total road length is 1.67 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 17th day of June, 2008.

By the Governor's Designee



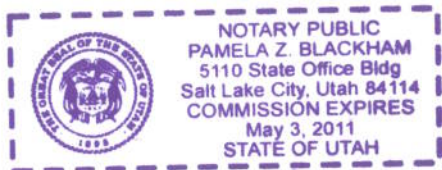
John Harja

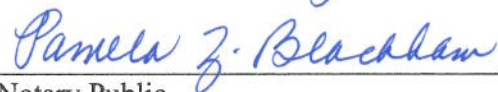
CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

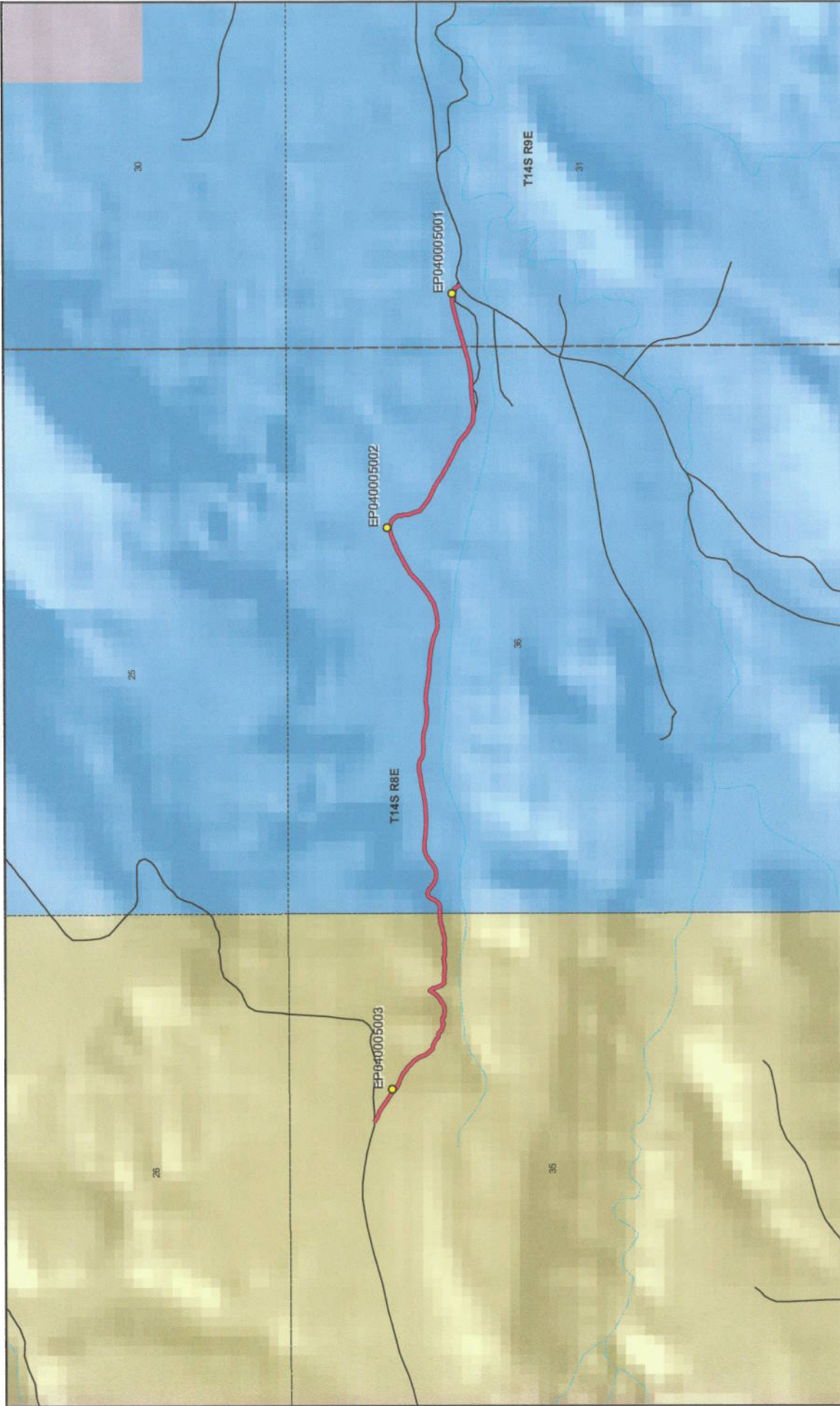
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 17th day of June, 2008.





Notary Public



1:14,856
1 inch equals 0.2 miles

HALEY BENCH SPUR ROAD - Carbon County

SGID RD_ID RD040005

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Jun 12, 2008

<p>Land Ownership Categories</p> <ul style="list-style-type: none"> BLM Private SITLA, State Trust Land USFS, National Forest State Parks and Recreation Tribal, Indian Reservation NPS, National Park 	<p>Transportation Network</p> <ul style="list-style-type: none"> HALEY BENCH SPUR ROAD Other Roads Title V: Issued Or Under Consideration By BLM Or County Photo Event Point Section = 1 Mile
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Attachment 2



EP040005001



EP040005002



EP040005003

EP000000000

EP000000000

EP000000000

HALEY BENCH SPUR ROAD - Carbon County
SGID RD_ID RD040005



Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
June 13, 2008



Attachment 3

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

Popular Name: HALEY BENCH SPUR ROAD

County: Carbon

County Road Number: 2706

State Geographic Information Database (SGID) Road Identification Number: RD040005.

Total Road Length: 1.67 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 34 minutes 10.01 seconds North Latitude and -110 degrees 59 minutes 27.16 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,783,932.2 feet and Y = 7,012,308.8 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 34 minutes 2 seconds North Latitude and -110 degrees 57 minutes 48.16 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,791,688.9 feet and Y = 7,011,544.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 14 South Range 8 East, Section(s) 35,36, Salt Lake Base & Meridian

Township 14 South Range 9 East, Section(s) 31, 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: HALEY BENCH SPUR ROAD

County: Carbon

County Road Number: 2706

State Geographic Information Database (SGID) Road Identification Number: RD040005.

Total Road Length: 1.67 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
RD040005	001	BLM	0.44 Miles	A
RD040005	002	ST	1.23 Miles	(not shown)
		Total Road Length	1.67	_____

* 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 IVAN D. FIDELL

HALEY BENCH SPUR ROAD

CARBON COUNTY, UTAH

COUNTY ROAD NUMBER 2706

State of Utah)
 : ss
County of Carbon)

Ivan D. Fidell, 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 Carbonville, Carbon County, Utah. I have lived in Carbon County almost all of my life since 1937.

2. I have traveled and am familiar with a road in Carbon County known as Haley Bench Spur Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1950s, it followed the same route as in 2007, when I last observed it. Attached is a Carbon County map showing Haley Bench Spur 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 identifies this road according to the road number described 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 late 1950s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including pickups, cars, oil field equipment, jeeps and ATVs. Throughout this time period, the

road has been used weekly, weather permitting for more than ten continuous years prior to 1976 and is presently used daily, weather permitting.

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

6. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus oil and gas exploration, mining and government access.

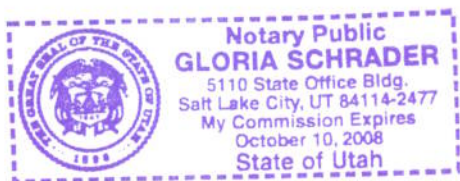
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

Dated this 6 day of November, 2007.


IVAN D. FIDELL

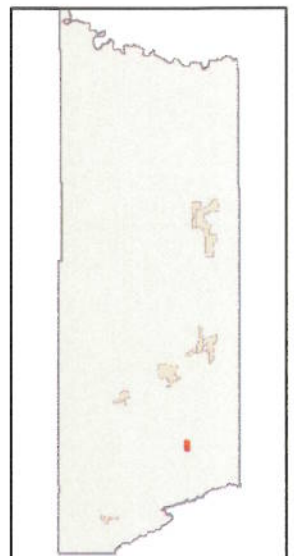
SUBSCRIBED AND SWORN TO before me this 6 day of November, 2007.




Notary Public



**2706
HALEY BENCH SPUR**



AFFIDAVIT OF CLAYTON A. CAMPBELL

HALEY BENCH SPUR ROAD

CARBON COUNTY, UTAH

COUNTY ROAD NUMBER 2706

State of Utah)
 : ss
County of Carbon)

Clayton A. Campbell, 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 Wellington, Carbon County, Utah. I have lived in Carbon County almost all of my life since 1944.

2. I have traveled and am familiar with a road in Carbon County known as Haley Bench Spur 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 2006, when I last observed it. Attached is a Carbon County map showing Haley Bench Spur 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 identifies this road according to the road number described 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 2006. Throughout this time period I have observed travel on the road by various means, including pickups, cars, oil field vehicles, jeeps and ATVs. 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 2006, I have used the road myself for recreation.

6. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus livestock operations, hunting, oil and gas exploration and development and government access.

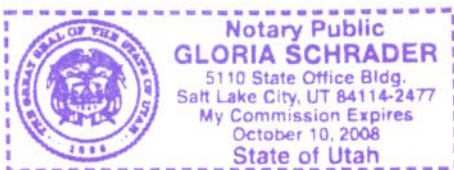
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to 2007, for the uses described in the previous paragraphs.

8. Prior to 1976 I observed county road maintenance equipment performing maintenance and construction activities on the road.

Dated this 5 day of November, 2007.


CLAYTON A. CAMPBELL

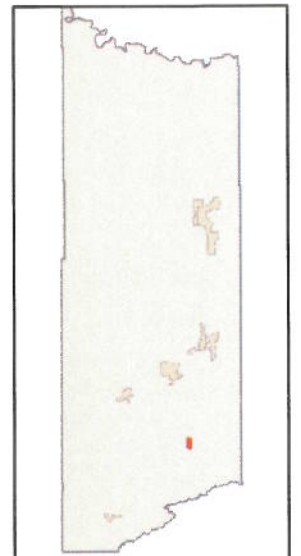
SUBSCRIBED AND SWORN TO before me this 5th day of November, 2007.




Notary Public



**2706
HALEY BENCH SPUR**



Appendix A to Attachment 4

Popular Name: HALEY BENCH SPUR ROAD

County: Carbon

County Road Number: 2706

State Geographic Information Database (SGID) Road Identification Number: RD040005.

Road-Segment Number: 001

Road-Segment Length: 0.44 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 14 South Range 8 East, Section(s) 35, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (HALEY BENCH SPUR 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 39 degrees 34 minutes 10.01 seconds North Latitude and -110 degrees 59 minutes 27.16 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,783,932.2 feet and Y = 7,012,308.8 feet; thence the following courses along the said road center line:

thence South 64 Degrees 25 Minutes 09 Seconds East	26.6 feet
thence South 60 Degrees 30 Minutes 19 Seconds East	23.3 feet
thence South 68 Degrees 57 Minutes 04 Seconds East	52.5 feet
thence South 59 Degrees 54 Minutes 53 Seconds East	49.1 feet
thence South 54 Degrees 06 Minutes 09 Seconds East	55.9 feet
thence South 53 Degrees 33 Minutes 51 Seconds East	59.4 feet
thence South 53 Degrees 23 Minutes 50 Seconds East	49.5 feet
thence South 53 Degrees 45 Minutes 14 Seconds East	58.2 feet
thence South 57 Degrees 08 Minutes 49 Seconds East	45.4 feet
thence South 69 Degrees 01 Minutes 38 Seconds East	48.1 feet
thence South 65 Degrees 54 Minutes 40 Seconds East	40.2 feet

thence South 58 Degrees 49 Minutes 30 Seconds East 28.5 feet
 thence South 49 Degrees 54 Minutes 27 Seconds East 35.7 feet
 thence South 58 Degrees 12 Minutes 21 Seconds East 31.1 feet
 thence South 57 Degrees 35 Minutes 06 Seconds East 15.3 feet
 thence South 34 Degrees 50 Minutes 02 Seconds East 19 feet
 thence South 42 Degrees 12 Minutes 18 Seconds East 35.4 feet
 thence South 38 Degrees 34 Minutes 24 Seconds East 44 feet
 thence South 33 Degrees 43 Minutes 26 Seconds East 23.7 feet
 thence South 24 Degrees 35 Minutes 09 Seconds East 27.1 feet
 thence South 25 Degrees 11 Minutes 36 Seconds East 30.8 feet
 thence South 26 Degrees 35 Minutes 36 Seconds East 20.2 feet
 thence South 41 Degrees 47 Minutes 04 Seconds East 28.6 feet
 thence South 46 Degrees 24 Minutes 04 Seconds East 35.7 feet
 thence South 73 Degrees 39 Minutes 57 Seconds East 32.1 feet
 thence South 70 Degrees 59 Minutes 16 Seconds East 25.2 feet
 thence South 55 Degrees 45 Minutes 28 Seconds East 23.3 feet
 thence South 54 Degrees 26 Minutes 58 Seconds East 28.2 feet
 thence South 53 Degrees 40 Minutes 47 Seconds East 18 feet
 thence North 76 Degrees 19 Minutes 51 Seconds East 13.9 feet
 thence South 81 Degrees 57 Minutes 49 Seconds East 17.6 feet
 thence South 41 Degrees 10 Minutes 53 Seconds East 19.6 feet
 thence South 47 Degrees 26 Minutes 08 Seconds East 17 feet
 thence South 58 Degrees 50 Minutes 55 Seconds East 12.7 feet
 thence South 68 Degrees 32 Minutes 28 Seconds East 15.7 feet
 thence South 87 Degrees 22 Minutes 06 Seconds East 17.8 feet
 thence South 55 Degrees 24 Minutes 10 Seconds East 14.4 feet
 thence North 78 Degrees 50 Minutes 55 Seconds East 16.9 feet
 thence North 70 Degrees 15 Minutes 51 Seconds East 17 feet
 thence North 78 Degrees 58 Minutes 20 Seconds East 17.1 feet
 thence South 65 Degrees 43 Minutes 57 Seconds East 11.9 feet
 thence South 60 Degrees 34 Minutes 31 Seconds East 15.1 feet
 thence South 71 Degrees 12 Minutes 55 Seconds East 17.7 feet
 thence South 80 Degrees 52 Minutes 40 Seconds East 15.6 feet
 thence South 87 Degrees 06 Minutes 31 Seconds East 16.4 feet
 thence North 87 Degrees 13 Minutes 17 Seconds East 33.7 feet
 thence North 85 Degrees 06 Minutes 34 Seconds East 19.4 feet
 thence North 58 Degrees 20 Minutes 52 Seconds East 21.9 feet
 thence North 48 Degrees 00 Minutes 22 Seconds East 19.6 feet
 thence North 71 Degrees 11 Minutes 10 Seconds East 20.4 feet
 thence North 58 Degrees 04 Minutes 40 Seconds East 21.7 feet
 thence North 52 Degrees 41 Minutes 17 Seconds East 21.7 feet
 thence North 41 Degrees 24 Minutes 39 Seconds East 20.8 feet
 thence North 34 Degrees 32 Minutes 52 Seconds East 19.9 feet
 thence North 34 Degrees 00 Minutes 08 Seconds East 19.8 feet
 thence North 29 Degrees 02 Minutes 14 Seconds East 16.9 feet
 thence North 31 Degrees 05 Minutes 53 Seconds East 16.3 feet
 thence South 41 Degrees 10 Minutes 53 Seconds East 19.6 feet
 thence South 30 Degrees 11 Minutes 46 Seconds East 14.2 feet
 thence South 17 Degrees 12 Minutes 46 Seconds East 11.2 feet

thence South 09 Degrees 12 Minutes 58 Seconds East 19.1 feet
 thence South 18 Degrees 09 Minutes 11 Seconds East 13.8 feet
 thence South 24 Degrees 01 Minutes 22 Seconds East 16.2 feet
 thence South 22 Degrees 07 Minutes 18 Seconds East 14.1 feet
 thence South 22 Degrees 37 Minutes 25 Seconds East 16 feet
 thence South 50 Degrees 21 Minutes 59 Seconds East 30.9 feet
 thence North 88 Degrees 46 Minutes 41 Seconds East 37.5 feet
 thence South 89 Degrees 00 Minutes 56 Seconds East 46.1 feet
 thence South 81 Degrees 23 Minutes 31 Seconds East 44 feet
 thence North 89 Degrees 58 Minutes 11 Seconds East 32.4 feet
 thence North 73 Degrees 36 Minutes 02 Seconds East 34.8 feet
 thence North 81 Degrees 23 Minutes 14 Seconds East 32.8 feet
 thence South 73 Degrees 25 Minutes 20 Seconds East 34.4 feet
 thence South 84 Degrees 58 Minutes 20 Seconds East 37.7 feet
 thence North 87 Degrees 13 Minutes 32 Seconds East 34.5 feet
 thence North 83 Degrees 01 Minutes 07 Seconds East 33.7 feet
 thence South 85 Degrees 43 Minutes 01 Seconds East 33.1 feet
 thence North 81 Degrees 27 Minutes 12 Seconds East 38.8 feet
 thence North 80 Degrees 01 Minutes 41 Seconds East 42.5 feet
 thence North 72 Degrees 26 Minutes 44 Seconds East 32.7 feet
 thence North 70 Degrees 56 Minutes 24 Seconds East 52.7 feet
 thence North 85 Degrees 33 Minutes 58 Seconds East 53.1 feet
 thence South 89 Degrees 01 Minutes 11 Seconds East 31.8 feet more or less to **the ending**

point at: 39 degrees 34 minutes 03.98 seconds North Latitude and -110 degrees 59 minutes 2.5 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,785,866.1 feet and Y = 7,011,710.3 feet.