

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

Ent 129729 Bk 675 Pg 447
Date: 23-JUN-2008 12:32PM
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 HARDSCRABBLE CREEK ROAD; County Road Number: 330; State Geographic Information Database (SGID) Road Identification Number: RD040009. Total road length is 2.23 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

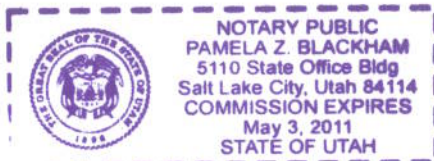
John Harja

CERTIFICATION

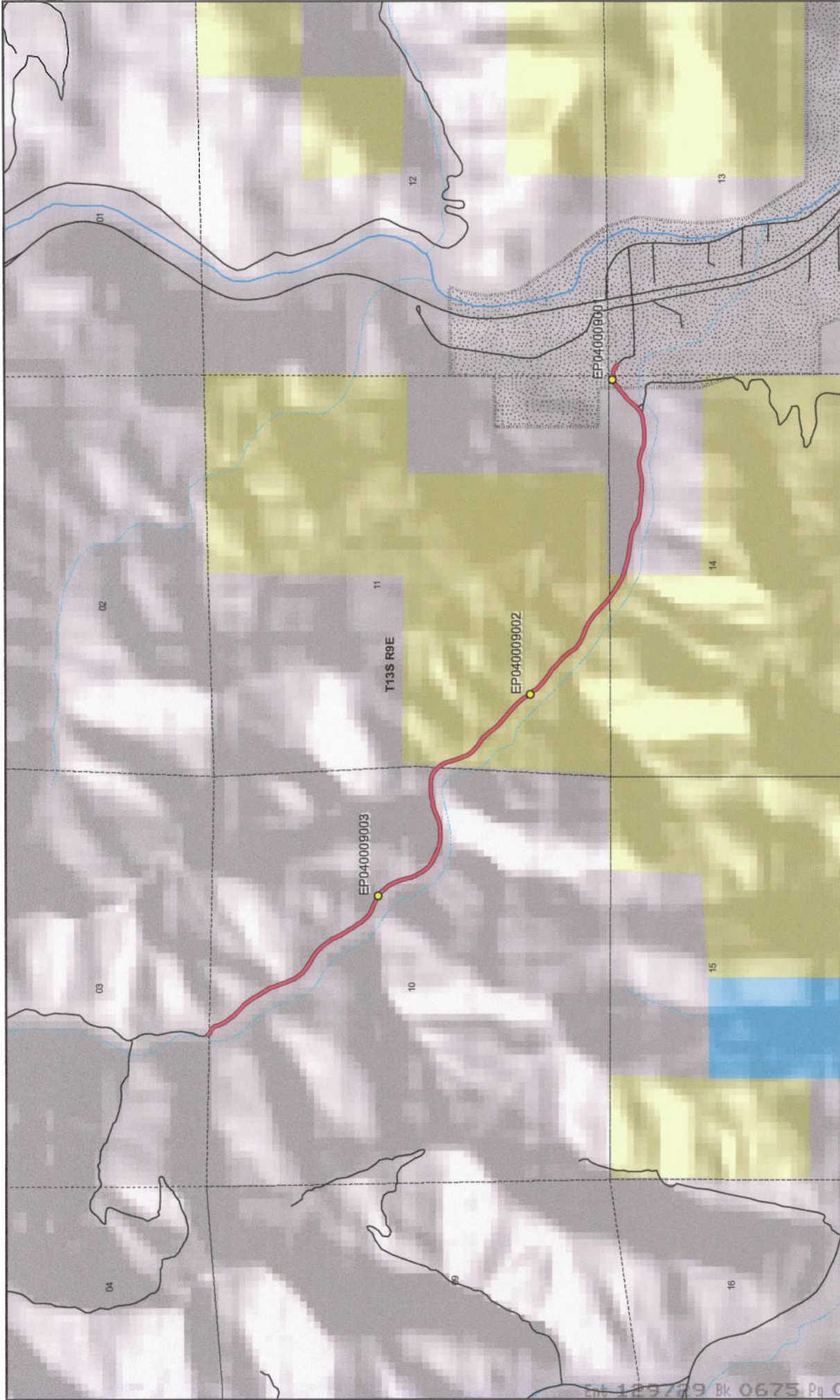
State of Utah)
: ss
County of Salt Lake)

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.



Pamela Z. Blackham
Notary Public



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

HARDSCRABBLE CREEK ROAD - Carbon County SGID RD_ID RD040009

| | |
|------------------------------|---|
| Wilderness | HARDSCRABBLE CREEK ROAD |
| UDWR Wildlife Reserve | Other Roads |
| DOD, Military | Title V: Issued Or Under Consideration By BLM Or County |
| State Sovereign Land | Photo Event Point |
| National Recreation Area | Section = 1 Mile |
| USFWS, Natl. Wildlife Refuge | |
| NPS, National Park | |

Land Ownership Categories

| |
|----------------------------|
| BLM |
| Private |
| SITLA, State Trust Land |
| USFS, National Forest |
| State Parks and Recreation |
| Tribal, Indian Reservation |
| NPS, National Park |

Transportation Network

| |
|---|
| HARDSCRABBLE CREEK ROAD |
| Other Roads |
| Title V: Issued Or Under Consideration By BLM Or County |
| Photo Event Point |
| Section = 1 Mile |

1:21,028
1 inch equals 0.3 miles



EP040009001



EP040009002



EP040009003

EP000000000

EP000000000

EP000000000

HARDSCRABBLE CREEK ROAD - Carbon County
SGID RD_ID RD040009

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: HARDSCRABBLE CREEK ROAD

County: Carbon

County Road Number: 330

State Geographic Information Database (SGID) Road Identification Number: RD040009.

Total Road Length: 2.23 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 43 minutes 02.83 seconds North Latitude and -110 degrees 54 minutes 11.44 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,808,293.1 feet and Y = 7,066,368.3 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 42 minutes 09.18 seconds North Latitude and -110 degrees 52 minutes 18.47 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,817,158.2 feet and Y = 7,061,001.3 feet based on the US Survey Foot conversion.

This road may traverse:

Township 13 South Range 9 East, Section(s) 3,10,11,13,14, 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: HARDSCRABBLE CREEK ROAD

County: Carbon

County Road Number: 330

State Geographic Information Database (SGID) Road Identification Number: RD040009.

Total Road Length: 2.23 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 |
|--|---------------------------------|--|---|----------------------------------|
| RD040009 | 001 | PVT | 0.99 Miles | (not shown) |
| RD040009 | 002 | BLM | 0.67 Miles | A |
| RD040009 | 003 | PVT | 0.56 Miles | (not shown) |
| | | Total Road Length | 2.23 | ————— |

* 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 RAYMOND B. HANSON

HARDSCRABBLE CREEK ROAD

CARBON COUNTY, UTAH

COUNTY ROAD NUMBER 330

State of Utah)
 : ss
County of Carbon)

Raymond B. Hanson, 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 Carbon County, Utah. I have lived in Carbon County for 63 years. I was employed by the Carbon County Road Department from 1971 to 1976 and have been employed by the Carbon County Road Department since 1987 to the present. I have been the Carbon County Road Supervisor since January of 1991.

2. I have traveled and am familiar with a road in Carbon County known as Hardscrabble Creek Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1970s, it followed the same route as in 2007, when I last observed it. Attached is a Carbon County map showing Hardscrabble Creek 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 1970s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means,

including: ATV, jeeps, pickup, automobile, gravel truck, loader and road grader. Throughout this time period, the road has been used daily prior to 1976, and is presently used daily.

5. Throughout the time period from the early 1970s to 2007, I have used the road myself for the following uses: road maintenance, traveling in and through the area.

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 the following uses: mining and livestock operations.

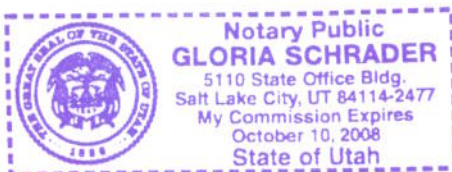
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of construction and maintenance performed on the road prior to 1976: I personally performed maintenance and construction activities on the road.

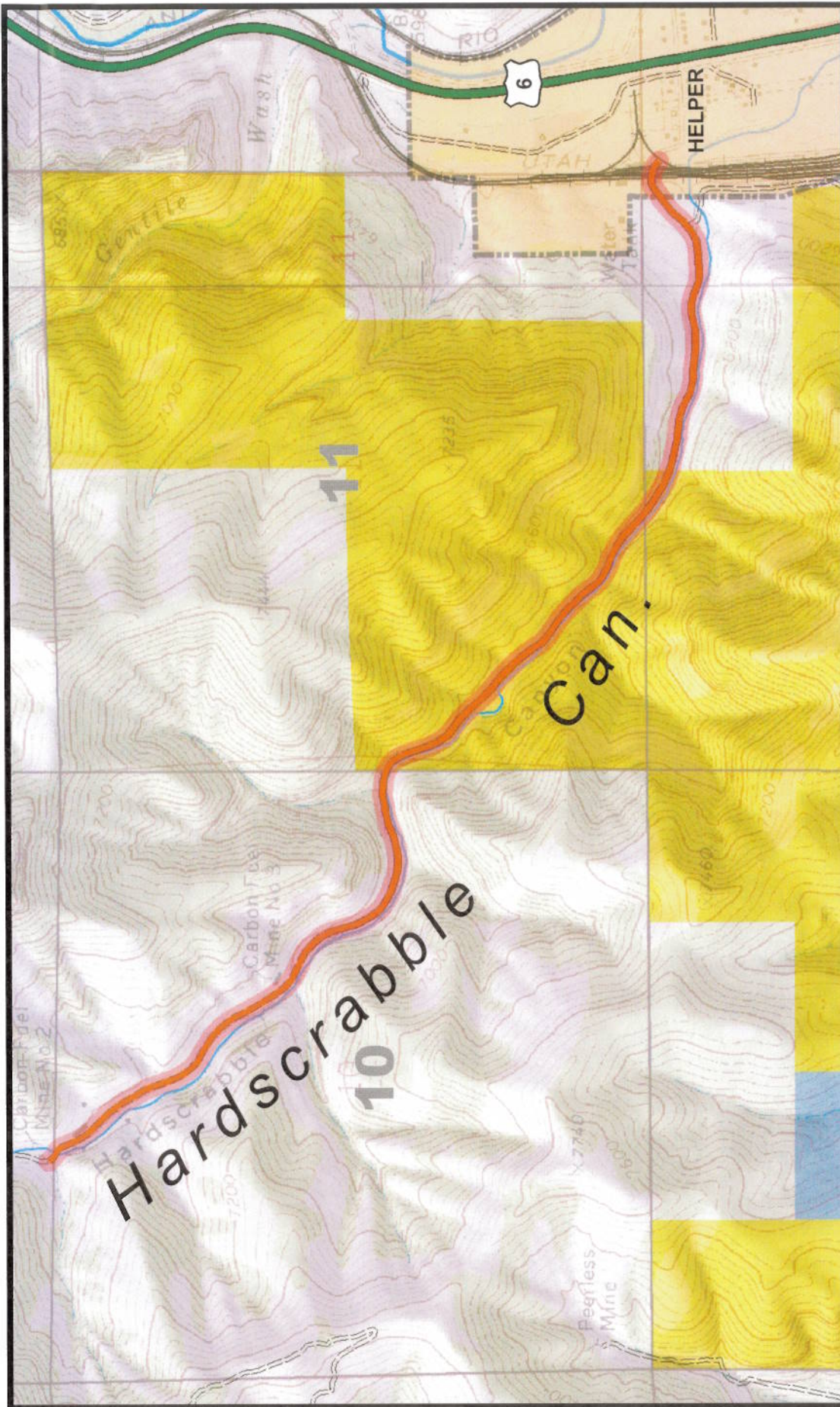
Dated this 6 day of November, 2007.


RAYMOND B. HANSON

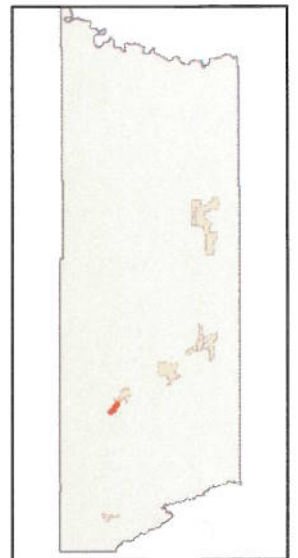
SUBSCRIBED AND SWORN TO before me this 6th day of November, 2007.




Notary Public



330
HARDSCRABBLE CREEK RD



AFFIDAVIT OF CLAYTON A. CAMPBELL

HARDSCRABBLE CREEK ROAD

CARBON COUNTY, UTAH

COUNTY ROAD NUMBER 330

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 Hardscrabble Creek 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 Hardscrabble Creek 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, jeeps and ATVs. Throughout this time period, the road has been used weekly for more than ten continuous years prior to 1976 and is presently used weekly.

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, mining and government access.

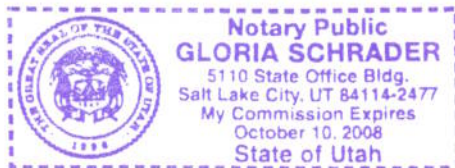
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to 2007, for the uses described in the previous paragraphs.

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

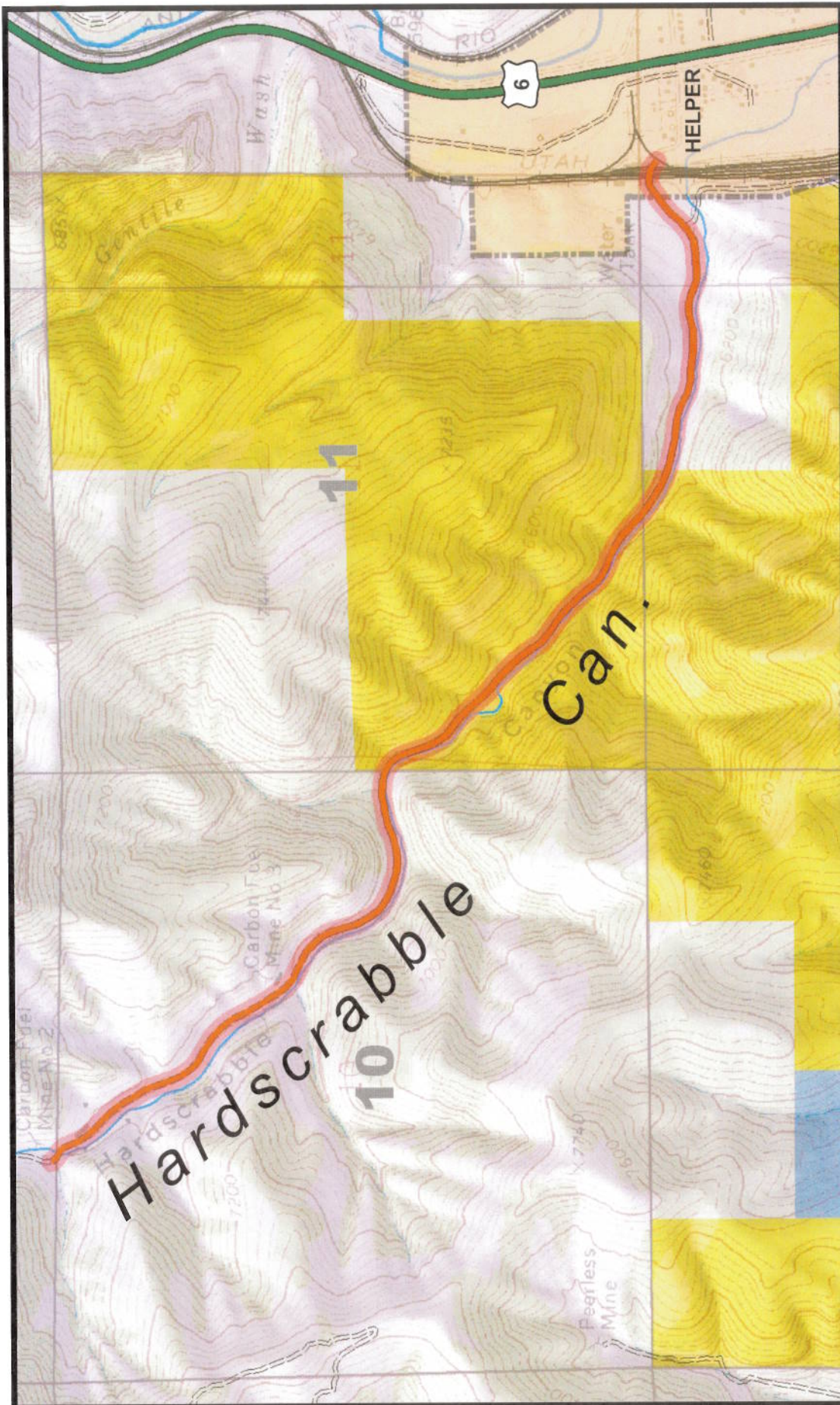
Dated this 5 day of November, 2007.


CLAYTON A. CAMPBELL

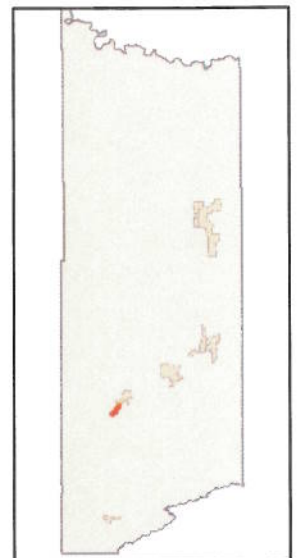
SUBSCRIBED AND SWORN TO before me this 5th day of November, 2007.




Notary Public



330
HARDSCRABBLE CREEK RD



Appendix A to Attachment 4

Popular Name: HARDSCRABBLE CREEK ROAD

County: Carbon

County Road Number: 330

State Geographic Information Database (SGID) Road Identification Number: RD040009.

Road-Segment Number: 002

Road-Segment Length: 0.67 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 South Range 9 East, Section(s) 11,14, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (HARDSCRABBLE CREEK ROAD)-- Segment 002 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 39 degrees 42 minutes 32.22 seconds North Latitude and -110 degrees 53 minutes 25.95 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,811,869.1 feet and Y = 7,063,295.6 feet; thence the following courses along the said road center line:

| | |
|--|-----------|
| thence South 34 Degrees 06 Minutes 52 Seconds East | 15 feet |
| thence South 23 Degrees 28 Minutes 05 Seconds East | 68 feet |
| thence South 18 Degrees 32 Minutes 16 Seconds East | 68.3 feet |
| thence South 19 Degrees 36 Minutes 01 Seconds East | 69.7 feet |
| thence South 18 Degrees 58 Minutes 10 Seconds East | 69.4 feet |
| thence South 20 Degrees 42 Minutes 44 Seconds East | 68.4 feet |
| thence South 31 Degrees 17 Minutes 36 Seconds East | 69.1 feet |
| thence South 44 Degrees 37 Minutes 42 Seconds East | 69.2 feet |
| thence South 52 Degrees 09 Minutes 58 Seconds East | 70.9 feet |
| thence South 53 Degrees 48 Minutes 17 Seconds East | 72.2 feet |
| thence South 50 Degrees 55 Minutes 19 Seconds East | 71.6 feet |

thence South 42 Degrees 30 Minutes 47 Seconds East 73.4 feet
 thence South 39 Degrees 43 Minutes 16 Seconds East 72.5 feet
 thence South 41 Degrees 32 Minutes 52 Seconds East 72.3 feet
 thence South 46 Degrees 02 Minutes 22 Seconds East 72.1 feet
 thence South 49 Degrees 21 Minutes 37 Seconds East 70.5 feet
 thence South 50 Degrees 40 Minutes 45 Seconds East 67.3 feet
 thence South 49 Degrees 22 Minutes 04 Seconds East 66.7 feet
 thence South 48 Degrees 08 Minutes 14 Seconds East 71.3 feet
 thence South 41 Degrees 27 Minutes 00 Seconds East 72.2 feet
 thence South 42 Degrees 36 Minutes 43 Seconds East 70.2 feet
 thence South 36 Degrees 14 Minutes 24 Seconds East 73.2 feet
 thence South 37 Degrees 55 Minutes 46 Seconds East 70.7 feet
 thence South 32 Degrees 12 Minutes 08 Seconds East 72.7 feet
 thence South 45 Degrees 38 Minutes 00 Seconds East 68 feet
 thence South 49 Degrees 56 Minutes 28 Seconds East 68.8 feet
 thence South 55 Degrees 44 Minutes 48 Seconds East 68.5 feet
 thence South 55 Degrees 55 Minutes 59 Seconds East 70.3 feet
 thence South 51 Degrees 13 Minutes 59 Seconds East 70.7 feet
 thence South 48 Degrees 06 Minutes 41 Seconds East 72.4 feet
 thence South 45 Degrees 25 Minutes 37 Seconds East 74.8 feet
 thence South 44 Degrees 19 Minutes 25 Seconds East 73.4 feet
 thence South 40 Degrees 00 Minutes 55 Seconds East 71.8 feet
 thence South 35 Degrees 54 Minutes 43 Seconds East 68.8 feet
 thence South 42 Degrees 39 Minutes 23 Seconds East 66.9 feet
 thence South 54 Degrees 57 Minutes 07 Seconds East 67.1 feet
 thence South 63 Degrees 08 Minutes 00 Seconds East 69 feet
 thence South 68 Degrees 57 Minutes 07 Seconds East 68.5 feet
 thence South 69 Degrees 50 Minutes 04 Seconds East 69 feet
 thence South 64 Degrees 26 Minutes 37 Seconds East 68.4 feet
 thence South 56 Degrees 18 Minutes 04 Seconds East 66.5 feet
 thence South 50 Degrees 40 Minutes 45 Seconds East 67.3 feet
 thence South 48 Degrees 16 Minutes 13 Seconds East 69 feet
 thence South 50 Degrees 02 Minutes 30 Seconds East 67.7 feet
 thence South 46 Degrees 39 Minutes 45 Seconds East 69.4 feet
 thence South 47 Degrees 40 Minutes 46 Seconds East 68.2 feet
 thence South 54 Degrees 32 Minutes 13 Seconds East 31.2 feet
 thence South 54 Degrees 32 Minutes 51 Seconds East 35.3 feet
 thence South 56 Degrees 47 Minutes 22 Seconds East 68.9 feet
 thence South 57 Degrees 14 Minutes 36 Seconds East 69.8 feet
 thence South 60 Degrees 58 Minutes 19 Seconds East 65.9 feet
 thence South 62 Degrees 36 Minutes 10 Seconds East 64.2 feet
 thence South 68 Degrees 57 Minutes 09 Seconds East 55.6 feet more or less to **the ending**

point at: 39 degrees 42 minutes 08.49 seconds North Latitude and -110 degrees 52 minutes 53.85 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,814,393.9 feet and Y = 7,060,912.4 feet.