

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

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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Daggett County as it pertains to the highway located in Daggett County known as Marshall Draw Road; County Road Number: D68; State Geographic Information Database (SGID) Road Identification Number: RD050106. Total road length is 3.42 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

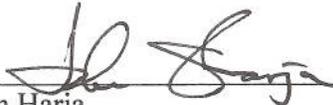
Internet at <http://recorded2477roads.utah.gov>.

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 19th day of AUGUST, 2009.

By the Governor's Designee



John Harja

CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

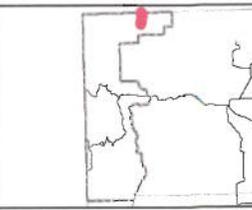
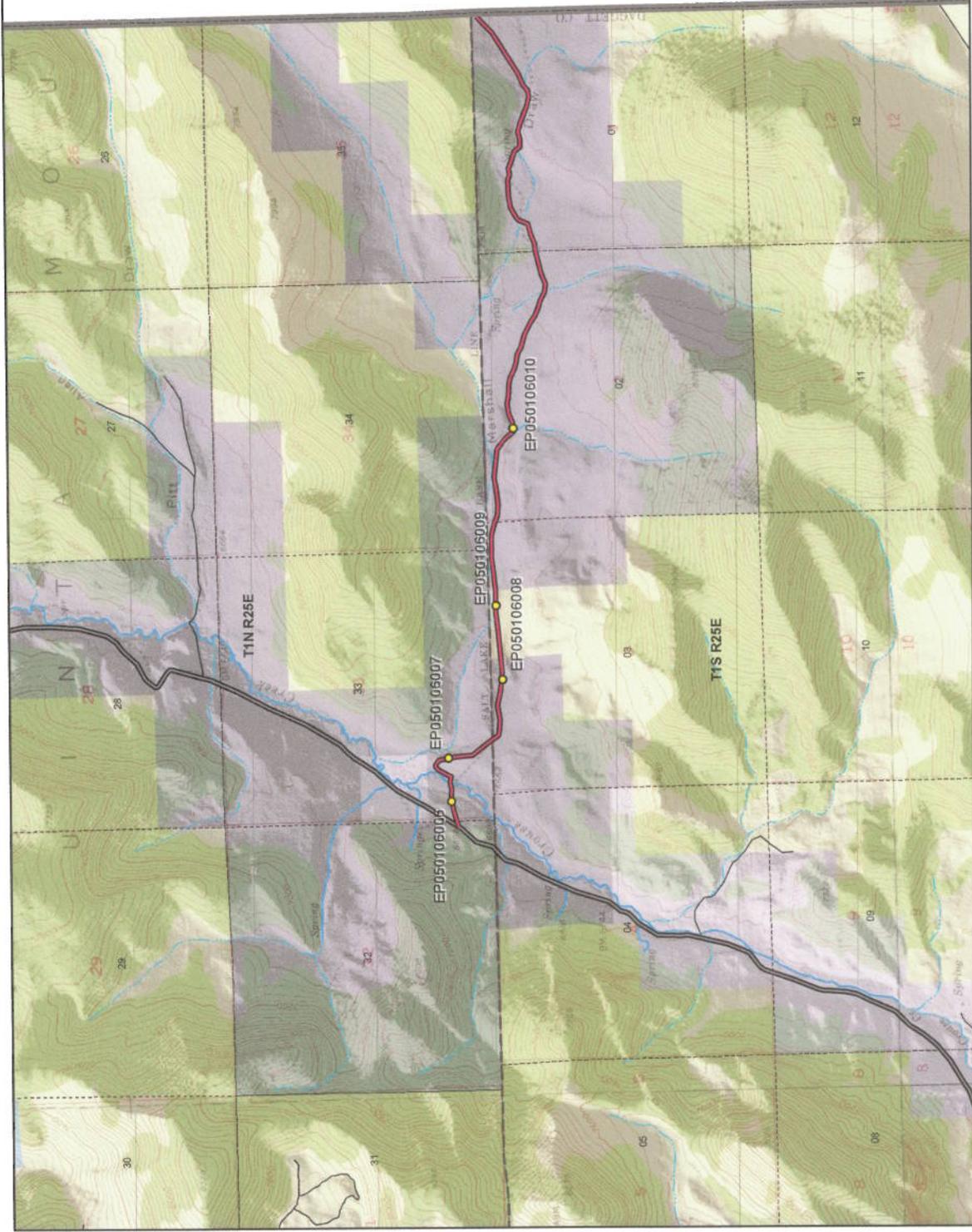
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 19th day of August, 2009.





Notary Public



- Land Ownership Categories**
- BLM
 - Private
 - SITLA, State Trust Land
 - USFS, National Forest
 - National Recreation Area
 - UDWR Wildlife Reserve

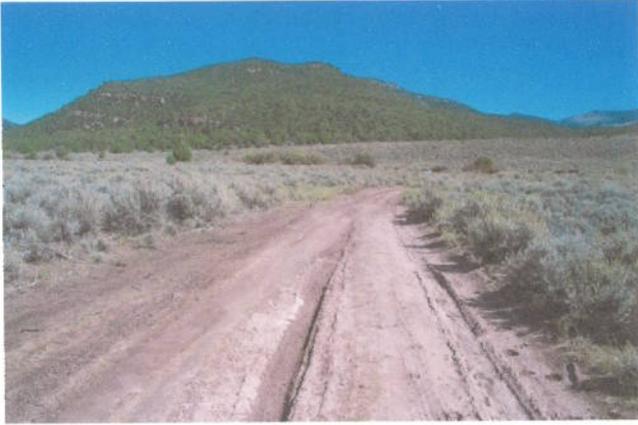
- Misc**
- Photo Event Point
 - Section = 1 Mile

- Transportation Network**
- Marshall Draw Road
 - Title V, Issued Or Under Consideration By BLM Or County
 - County B Road
 - State / U.S. Highway
 - Other Roads

Marshall Draw Road - Daggett County
SGID RD_ID RD050106 CO_UNIQUE D68

Map prepared by the State of Utah
 Automatic Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Jun. 08, 2009





EP050106006



EP050106007



EP050106008



EP050106009



EP050106010

EP000000000

**Marshall Draw Road - Daggett County
SGID RD_ID RD050106**

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
June 08, 2009



Attachment 3

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

Popular Name: Marshall Draw Road

County: Daggett

County Road Number: D68

State Geographic Information Database (SGID) Road Identification Number: RD050106.

Total Road Length: 3.42 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 46 minutes 24.44 seconds North Latitude and -109 degrees 06 minutes 23.47 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 2,303,265.1 feet and Y = 3,450,314.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 46 minutes 16.38 seconds North Latitude and -109 degrees 02 minutes 56.97 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 2,319,168.9 feet and Y = 3,449,941.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 1 North Range 25 East, Section(s) 32,33, Salt Lake Base & Meridian
Township 1 South Range 25 East, Section(s) 1,2,3, 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: Marshall Draw Road

County: Daggett

County Road Number: D68

State Geographic Information Database (SGID) Road Identification Number: RD050106.

Total Road Length: 3.42 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
RD050106	001	ST	0.83 Miles	(not shown)
RD050106	002	BLM	0.25 Miles	A
RD050106	003	ST	2.33 Miles	(not shown)
		Total Road Length	3.42	_____

* 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 PAUL W. McCOY
MARSHALL DRAW ROAD
DAGGETT COUNTY, UTAH
DAGGETT COUNTY ROAD D68

State of Utah)
 : ss.
County of Uintah)

I, PAUL W. McCOY, 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 in Vernal, Utah, on February 28, 1947. I have lived in Vernal all of my life. I have been a rancher all of my life and own ranch property in the Diamond Mountain area, including Crouse Creek, Dry Hollow and Jackson Draw. Almost 3,000 acres of the property are located in Daggett County. My grandfather began running sheep in the area in 1898 and my family has been in the livestock business continuously since that time. I have traveled and am familiar with many of the roads in and around Diamond Mountain.

2. I have traveled and am familiar with Marshall Draw Road, Daggett County Road D68, and the land it traverses.

3. I took the following steps to verify that the Road I refer to in this affidavit and Marshall Draw Road (the "Road") are the same road:

a. I examined a large Daggett County map depicting the Road in relation to other roads, intersections and landmarks. I observed 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 examined ground photos depicting the Road and surrounding area and verified that the Road is accurately depicted in the photos and is the Road I refer to herein.

4. I have personally traveled the Road many times from the early 1960s through 1976 and

continuing until 2008 (“the Time Period of My Experience”). It is the reputation in the community that the property adjacent to the Road was homesteaded in the early 1900s and the road was traveled by homesteaders.

5. When I last traveled and observed the Road in 2008, it followed the same route as in the early 1960s, when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled weekly, weather permitting. Based upon my observation during the Time Period of My Experience, the Road was continuously used as a public thoroughfare by members of the public for public purposes whenever it was necessary and convenient for them to do so and I have never known the use of the road to have been interrupted by any means except natural causes that sometimes render a creek crossing impassable.

7. During the Time Period of My Experience I have personally traveled the Road by horseback and ATV and have observed others traveling the road in pickup trucks and ATVs.

8. During the Time Period of My Experience I have personally used the Road for livestock operations and have observed others use the Road for the same purposes.

DATED this 10 day of March, 2009.

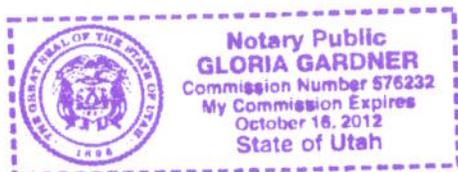


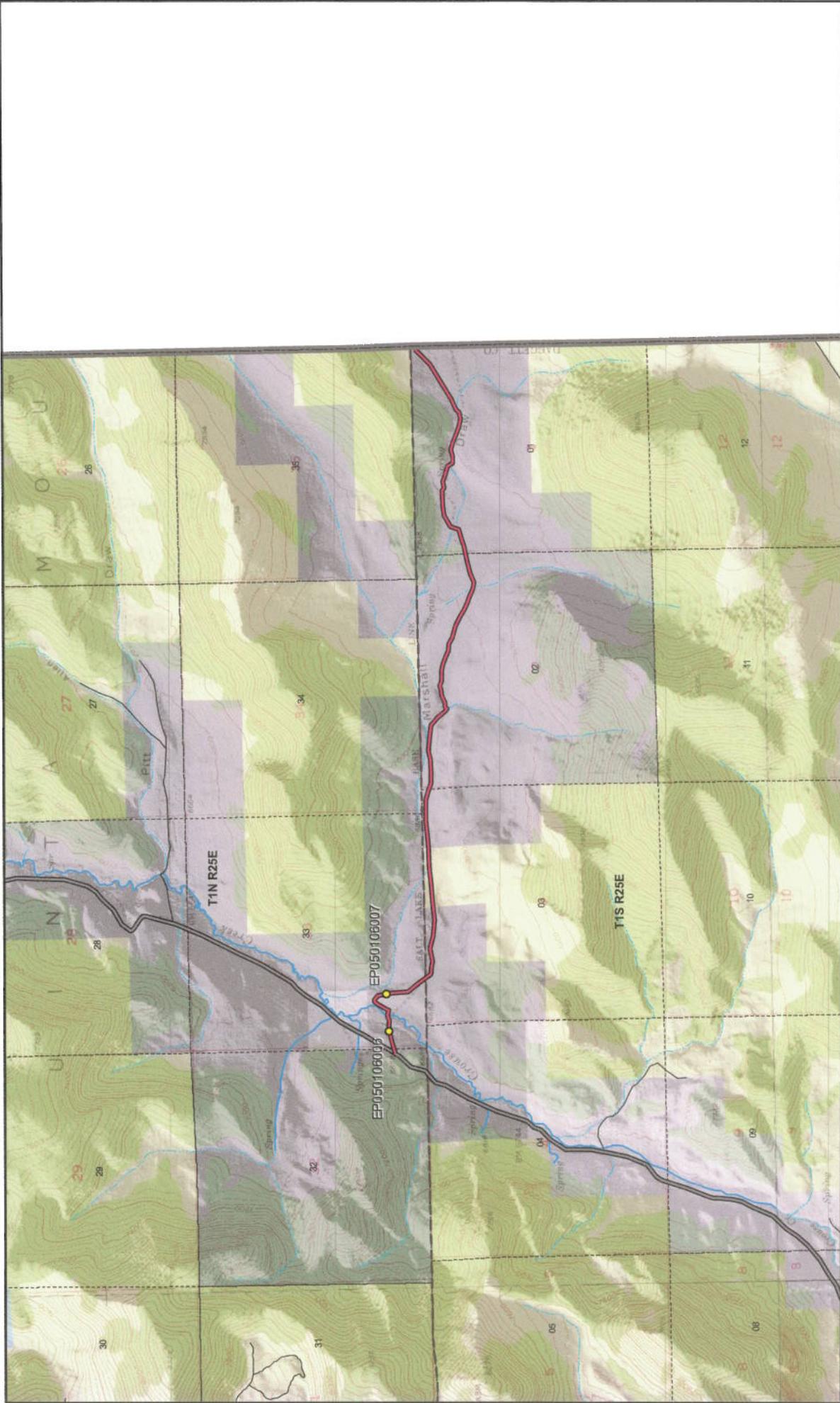
PAUL W. McCOY

SUBSCRIBED AND SWORN to before me this 10th day of March, 2009.



NOTARY PUBLIC





Scale
1:35,998
1 inch = 0.57 miles



- Marshall Draw Road - Daggett County**
SGID RD_ID RD050106 CO_UNIQUE D68
- | | | |
|----------------------------------|-------------------|---|
| Land Ownership Categories | Misc | Transportation Network |
| BLM | Photo Event Point | Marshall Draw Road |
| Private | Section = 1 Mile | Title V: Issued Or Under Consideration By BLM Or County |
| SITLA, State Trust Land | | County B Road |
| USFS, National Forest | | State / U.S. Highway |
| National Recreation Area | | Other Roads |
| UDWR, Wildlife Reserve | | |

Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Dec 10, 2008



AFFIDAVIT OF RAY HUNTING
MARSHALL DRAW ROAD
DAGGETT COUNTY, UTAH
DAGGETT COUNTY ROAD D68

State of Utah)
 : ss.
County of Uintah)

I, RAY HUNTING, 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 in Vernal, Utah on October 23, 1930. I have lived in Vernal all of my life. I have been a rancher all of my adult life and own a ranch in Davenport Draw near the border between Uintah and Daggett Counties. My parents and grandparents were some of the first settlers in Vernal and I am a fourth generation rancher. I have traveled the roads in eastern Daggett County.

2. I have traveled and am familiar with Marshall Draw Road, Daggett County Road D68, and the land it traverses.

3. I took the following steps to verify that the Road I refer to in this affidavit and Marshall Draw Road (the “ Road”) are the same road:

a. I examined a large Daggett County map depicting the Road in relation to other roads, intersections and landmarks. I observed 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 examined ground photos depicting the Road and surrounding area and verified that the Road is accurately depicted in the photos and is the Road I refer to herein.

4. I have personally traveled the Road many times from the late 1940s through 1976 and continuing until 2004 (“the Time Period of My Experience”). It is the reputation in the community that the property near the Road was homesteaded in the early 1900s and the road was traveled by homesteaders.

5. When I last traveled and observed the Road in 2004, it followed the same route as in the late 1940s, when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled weekly during the summer and fall seasons, weather permitting, and less often during other times of the year. Based upon my observation during the Time Period of My Experience, the Road was continuously used as a public thoroughfare by members of the public for public purposes whenever it was necessary and convenient for them to do so and I have never known the use of the road to have been interrupted by any means.

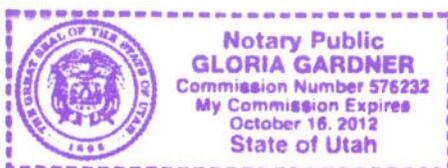
7. During the Time Period of My Experience I have personally traveled the Road by horseback and pickup truck and have observed others traveling the road in pickup trucks and ATVs.

8. During the Time Period of My Experience I have personally used the Road for livestock operations, hunting and have observed others use the Road for the same purposes, plus recreation.

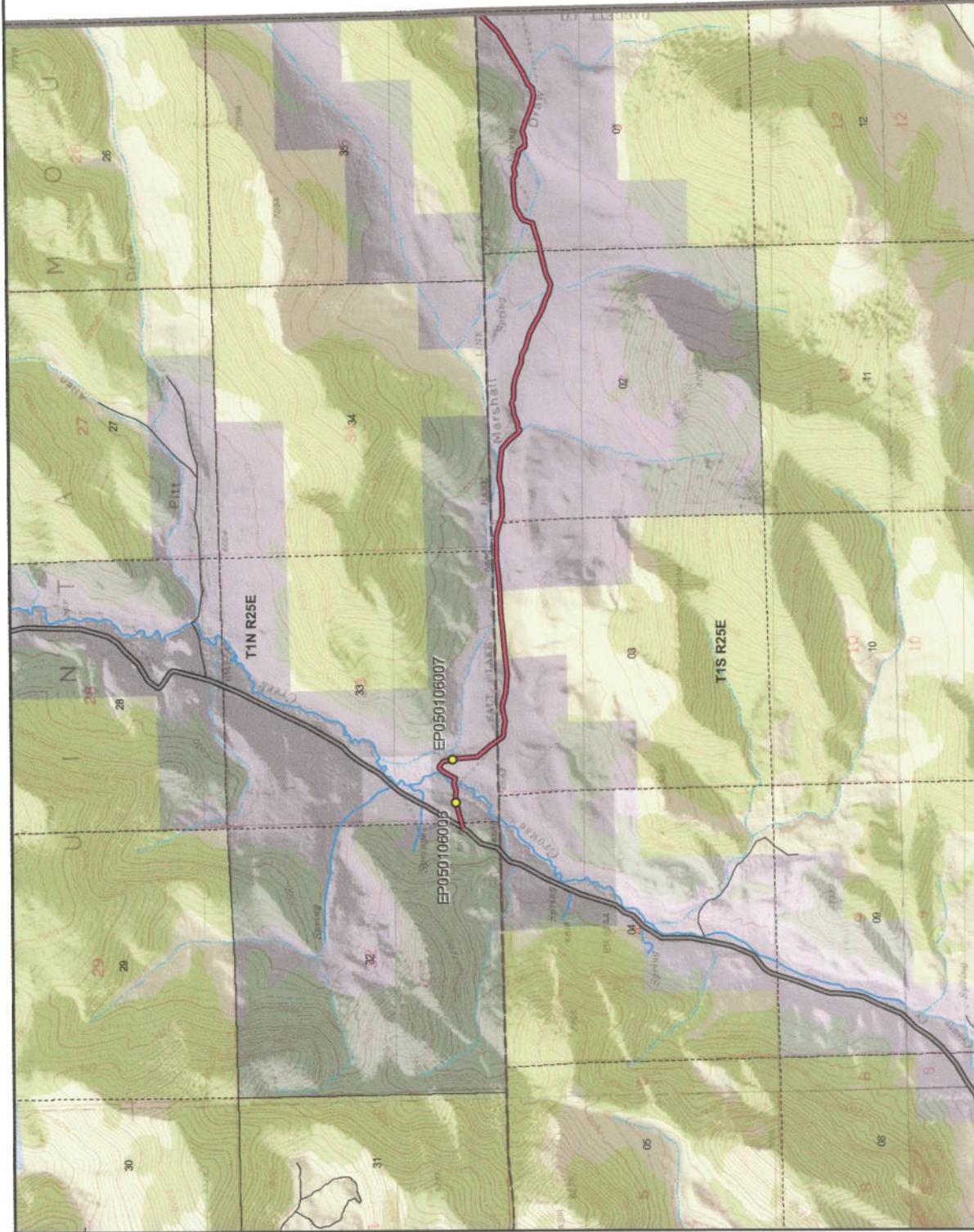
DATED this 10 day of March, 2009.


RAY HUNTING

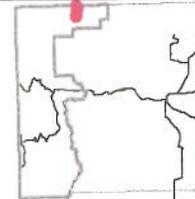
SUBSCRIBED AND SWORN to before me this 10th day of March, 2009.




NOTARY PUBLIC



Scale
1:35,000
1 inch = 0.57 miles



- Marshall Draw Road - Daggett County**
SGID RD_ID RD050106 CO_UNIQUE D68
- | | | |
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| Land Ownership Categories | Misc | Transportation Network |
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| Private | Section = 1 Mile | Title V: Issued Or Under Consideration By BLM |
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| National Recreation Area | | Other Roads |
| UDWR Wildlife Reserve | | |

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Dec 10, 2008



Appendix A to Attachment 4

Popular Name: Marshall Draw Road

County: Daggett

County Road Number: D68

State Geographic Information Database (SGID) Road Identification Number: RD050106.

Road-Segment Number: 002

Road-Segment Length: 0.25 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 1 South Range 25 East, Section(s) 3, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Marshall Draw 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 40 degrees 46 minutes 15.22 seconds North Latitude and -109 degrees 05 minutes 40.78 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 2,306,573.8 feet and Y = 3,449,471.6 feet; thence the following courses along the said road center line:

thence North 84 Degrees 37 Minutes 50 Seconds East 123.5 feet

thence North 84 Degrees 07 Minutes 46 Seconds East 391.6 feet

thence North 82 Degrees 35 Minutes 51 Seconds East 400.4 feet

thence North 89 Degrees 13 Minutes 48 Seconds East 417 feet more or less to **the ending**

point at: 40 degrees 46 minutes 15.93 seconds North Latitude and -109 degrees 05 minutes 23.51 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 2,307,900.4 feet and Y = 3,449,580.4 feet.