

Ent 390405 Page 1 of 13
 Date: 07-MAY-2008 12:48PM
 Fee: None
 Filed By: DKS
 DIXIE SWASEY, Recorder
 EMERY COUNTY CORPORATION
 For: GOVERNOR/STATE OF UTAH

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Emery County as it pertains to the highway located in Emery County known as MUDDY SPUR; County Road Number: 917; State Geographic Information Database (SGID) Road Identification Number: RD080555. Total road length is 0.44 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

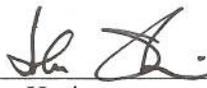
Internet at <http://recorded2477roads.utah.gov>.

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 21st day of APRIL, 2008.

By the Governor's Designee



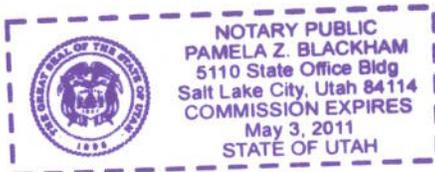
John Harja

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 21st day of April, 2008.





Notary Public



Map prepared by the State of Utah
 Geographic Information Center
 Road Spur Identification Project
 Salt Lake City, Utah 84114
 Jan 28, 2008

Muddy Spur - Emery County
SGID RD_ID RD080555

<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"> Muddy Spur Other Roads Title Y, Issued Or Under Consideration By BLM Or County Photo Event Point Section = 1 Mile
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1:12,083
1 inch equals 0.2 miles

Page 1 of 1

Attachment 1

Attachment 2



EP080555002



EP080555005



EP080555007



EP080555004

EP000000000

EP000000000

MUDDY SPUR - Emery County
SGID RD_ID RD080555

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
February 1, 2008



Attachment 3

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

Popular Name: MUDDY SPUR

County: Emery

County Road Number: 917

State Geographic Information Database (SGID) Road Identification Number: RD080555.

Total Road Length: 0.44 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 49 minutes 30.62 seconds North Latitude and -111 degrees 12 minutes 15.91 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,724,633.4 feet and Y = 6,740,956.8 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 49 minutes 19.85 seconds North Latitude and -111 degrees 11 minutes 52.26 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,726,509.0 feet and Y = 6,739,873.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 23 South Range 6 East, Section(s) 12, 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: MUDDY SPUR

County: Emery

County Road Number: 917

State Geographic Information Database (SGID) Road Identification Number: RD080555.

Total Road Length: 0.44 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
RD080555	001	BLM	0.24 Miles	A
RD080555	002	PVT	0.2 Miles	(not shown)
		Total Road Length	0.44	_____

* 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 MORRIS SORENSEN

MUDDY SPUR ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 917

State of Utah)
 : ss.
County of Emery)

MORRIS SORENSEN, 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 Emery, Emery County, Utah. I have lived in Emery County for most of my life. I have been employed by the Emery County Road Department for 23 years and am currently the County Road Supervisor.

2. I have traveled and am familiar with a road in Emery County known as Muddy 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 an Emery County map showing Muddy 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 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 late 1950s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by means of pickup trucks, cars, recreational vehicles. Throughout the 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 late 1950s to 2007, I have used the road myself for livestock operations, farming, county road maintenance, hunting and traveling in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus government access.

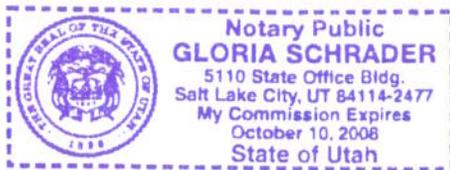
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally observed graders performing maintenance and construction activities on the road.

DATED this 9 day of March, 2007.

Morris Sorensen
MORRIS SORENSEN

SUBSCRIBED AND SWORN to before me this 9th day of March, 2007.



Gloria Schrader
NOTARY PUBLIC

Road #917

Muddy Spur

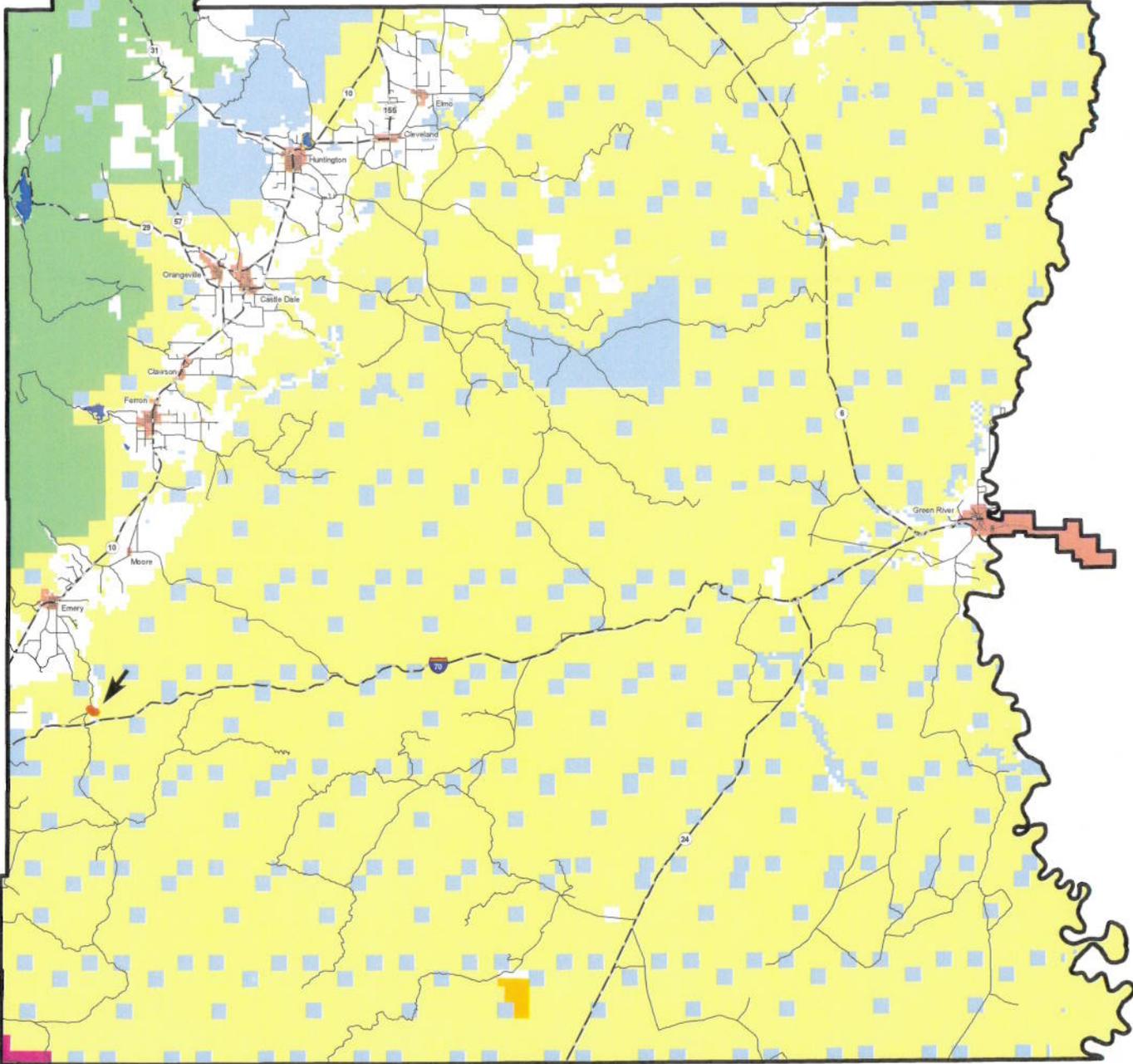
 Muddy Spur

 Highway/Interstate

 B Class Road

 BLM  State  NPS  Water

 USFS  Private  USP  City Boundary



AFFIDAVIT OF ERIC BUNDERSON

MUDDY SPUR ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 917

State of Utah)
 : ss.
County of Emery)

ERIC BUNDERSON, 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 Castle Dale, Emery County, Utah. I have lived in Emery County for most of my life.

2. I have traveled and am familiar with a road in Emery County known as Muddy Spur 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 the early 1990s when I last observed it. Attached is a Emery County map showing the Muddy 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 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 the early 1990s. Throughout this time period I have observed travel on the road by various means, including trucks, 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 weekly.

5. Throughout the time period from the early 1960s to the early 1990s, I have used the road myself for hunting 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 farming and livestock operations.

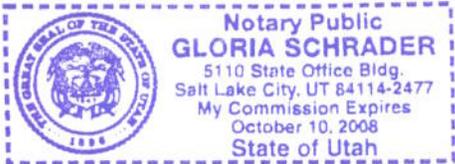
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 5 day of March, 2007.

Eric Bunderson
ERIC BUNDERSON

SUBSCRIBED AND SWORN to before me this 5th day of March, 2007.



Gloria Schrader
NOTARY PUBLIC

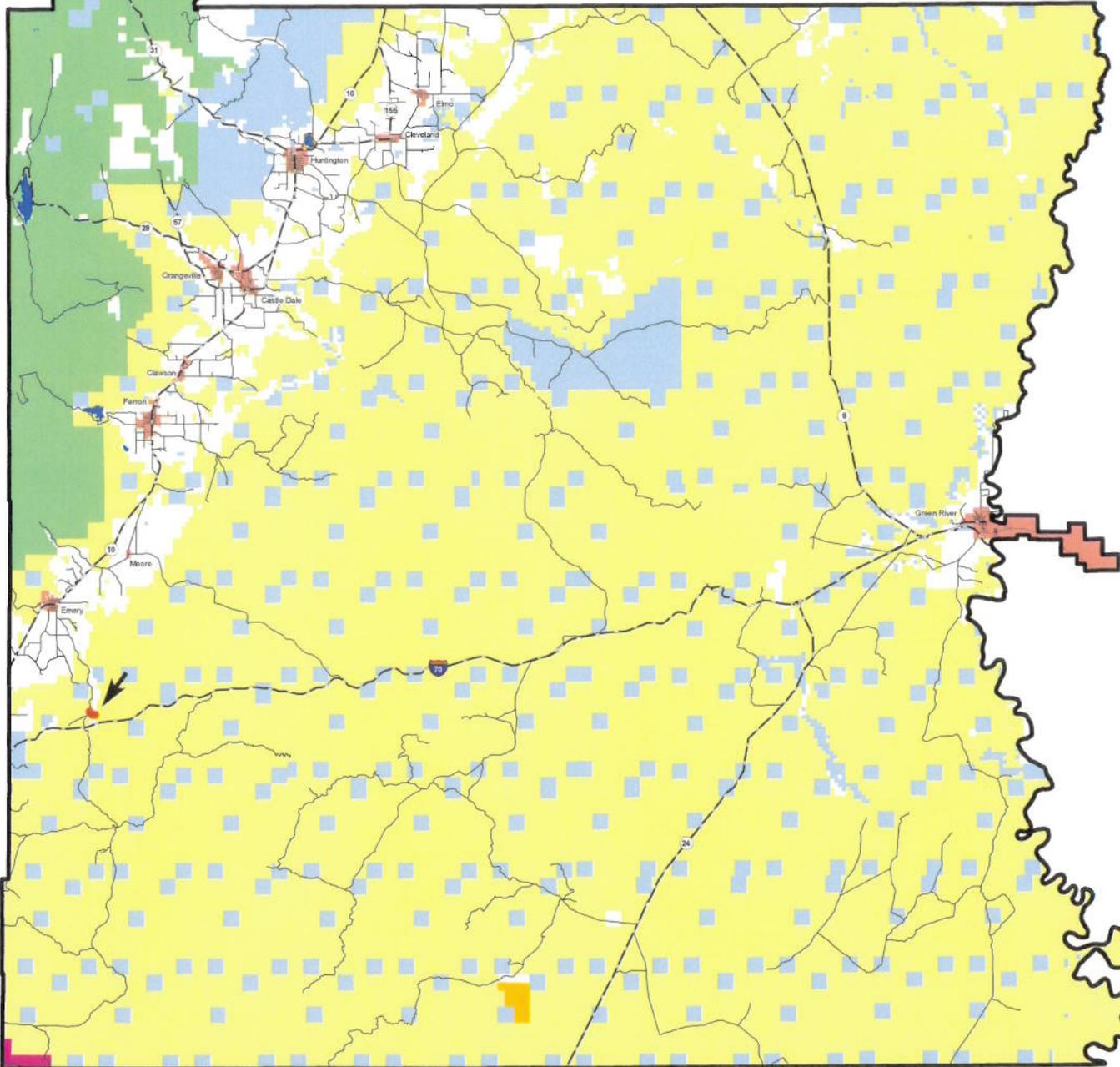
Road #917

Muddy Spur

-  Muddy Spur
-  Highway/Interstate
-  B Class Road



-  BLM
-  State
-  NPS
-  Water
-  USFS
-  Private
-  USP
-  City Boundary



Appendix A to Attachment 4

Popular Name: MUDDY SPUR

County: Emery

County Road Number: 917

State Geographic Information Database (SGID) Road Identification Number: RD080555.

Road-Segment Number: 001

Road-Segment Length: 0.24 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 23 South Range 6 East, Section(s) 12, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (MUDDY SPUR)-- 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 49 minutes 30.62 seconds North Latitude and -111 degrees 12 minutes 15.91 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,724,633.4 feet and Y = 6,740,956.8 feet; thence the following courses along the said road center line:

thence South 57 Degrees 56 Minutes 12 Seconds East 15.9 feet
thence South 65 Degrees 18 Minutes 02 Seconds East 16.3 feet
thence South 43 Degrees 57 Minutes 59 Seconds East 98.4 feet
thence South 42 Degrees 56 Minutes 28 Seconds East 173.5 feet
thence South 43 Degrees 43 Minutes 14 Seconds East 191.6 feet
thence South 42 Degrees 56 Minutes 52 Seconds East 202.1 feet
thence South 43 Degrees 30 Minutes 06 Seconds East 161.2 feet
thence South 43 Degrees 44 Minutes 06 Seconds East 42 feet
thence South 43 Degrees 33 Minutes 00 Seconds East 203.2 feet
thence South 43 Degrees 34 Minutes 21 Seconds East 175.3 feet more or less to **the ending**

point at: 38 degrees 49 minutes 21.48 seconds North Latitude and -111 degrees 12 minutes 04.76 seconds

West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,725,519.1 feet and Y = 6,740,035.7 feet.