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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Millard County as it pertains to the highway located in Millard County known as X-Knoll Reservoir Road; County Road Number: MC1934; State Geographic Information Database (SGID) Road Identification Number: RD141008. Total road length is 2.06 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 23 day of April , 200 8.

By the Governor's Designee

CERTIFICATION

State of Utah : \$\$ 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.

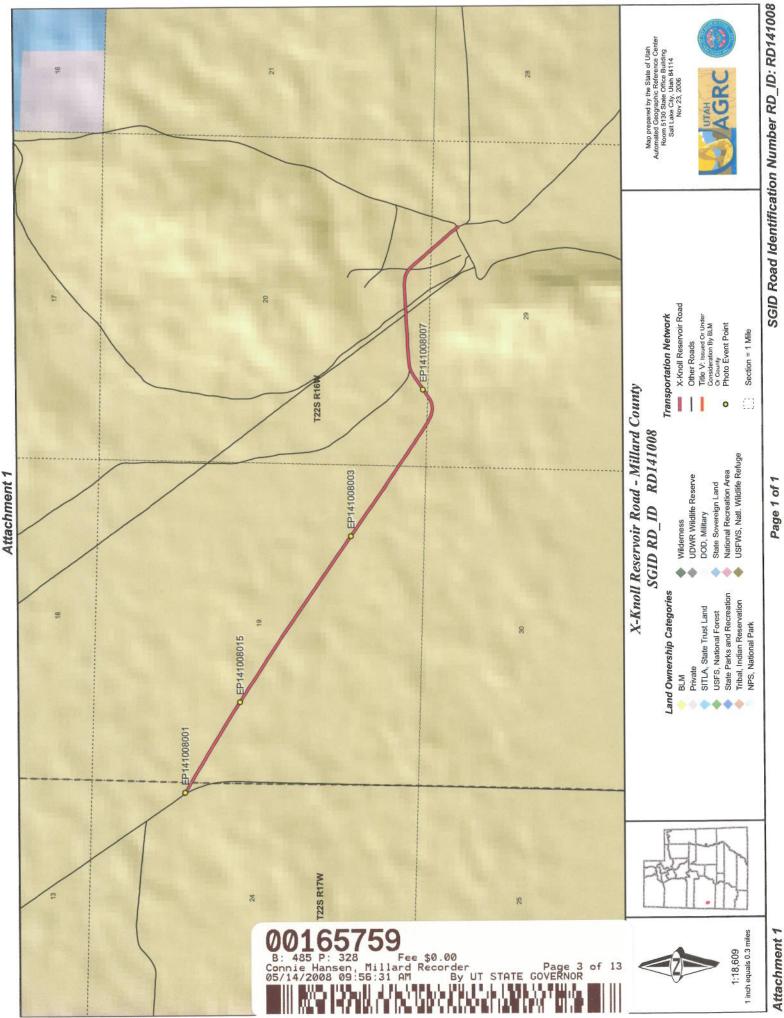
Dated this 23rd day of april, 2008.

Panela 3. Blackbarn

Notary Public

NOTARY PUBLIC PAMELA Z. BLACKHAM 5110 State Office Bldg Salt Lake City, Utah 84114 COMMISSION EXPIRES May 3, 2011 STATE OF UTAH

00165/59B: 485 P: 327 Fee \$0.00
Connie Hansen, Millard Recorder 05/14/2008 09:56:31 AM By der Page 2 By UT STATE GOVERNOR











EP000000000



X-Knoll Reservoir Road - Millard County SGID RD_ID RD141008

Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 November 22, 2006



Attachment 3

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

Popular Name: X-Knoll Reservoir Road

County: Millard

County Road Number: MC1934

State Geographic Information Database (SGID) Road Identification Number: RD141008.

Total Road Length: 2.06 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 53 minutes 32.22 seconds North Latitude and -113 degrees 41 minutes 42.24 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,015,661.4 feet and Y = 6,772,928.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 52 minutes 50.23 seconds North Latitude and -113 degrees 39 minutes 44.92 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,024,831.8 feet and Y = 6,768,455.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 22 South Range 16 West, Section(s) 19,20,29, Salt Lake Base & Meridian Township 22 South Range 17 West, Section(s) 24, 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: X-Knoll Reservoir Road

County: Millard

County Road Number: MC1934

State Geographic Information Database (SGID) Road Identification Number: RD141008.

Total Road Length: 2.06 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
RD141008	001	BLM	2.06 Miles	A
		Total Road Length	2.06	

^{*} 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 JAY ATKINSON X-KNOLL RESERVOIR ROAD MILLARD COUNTY, UTAH ROAD NUMBER MC1934

State of Utah)
	: SS
County of Millard)

JAY ATKINSON, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon
 my personal knowledge. I currently reside in Millard County, Utah. I have lived in Millard
 County for sixty-eight years. I was an employee of the Millard County Road Department from
 February of 1970 to April of 2000, and participated in maintenance of the road during that time.
- 2. I have traveled and am familiar with a road in Millard County known as X-Knoll Reservoir 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 2000 when I last observed it. Attached is a Millard County map showing X-Knoll Reservoir 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 2000. Throughout this time period I have observed travel on the road by various means, including cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily for ten continuous years prior to 1976, and was so used through 2000.



- Throughout the time period from the early 1950s to 2000, I have used the road
 myself for the following uses: hunting, county road work 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: livestock operations, trapping, government access and sightseeing.
- 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 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
- Prior to 1976, I participated in maintenance and construction activities on the road. Construction and maintenance have been performed since the early 1950s by Millard County Road Department.

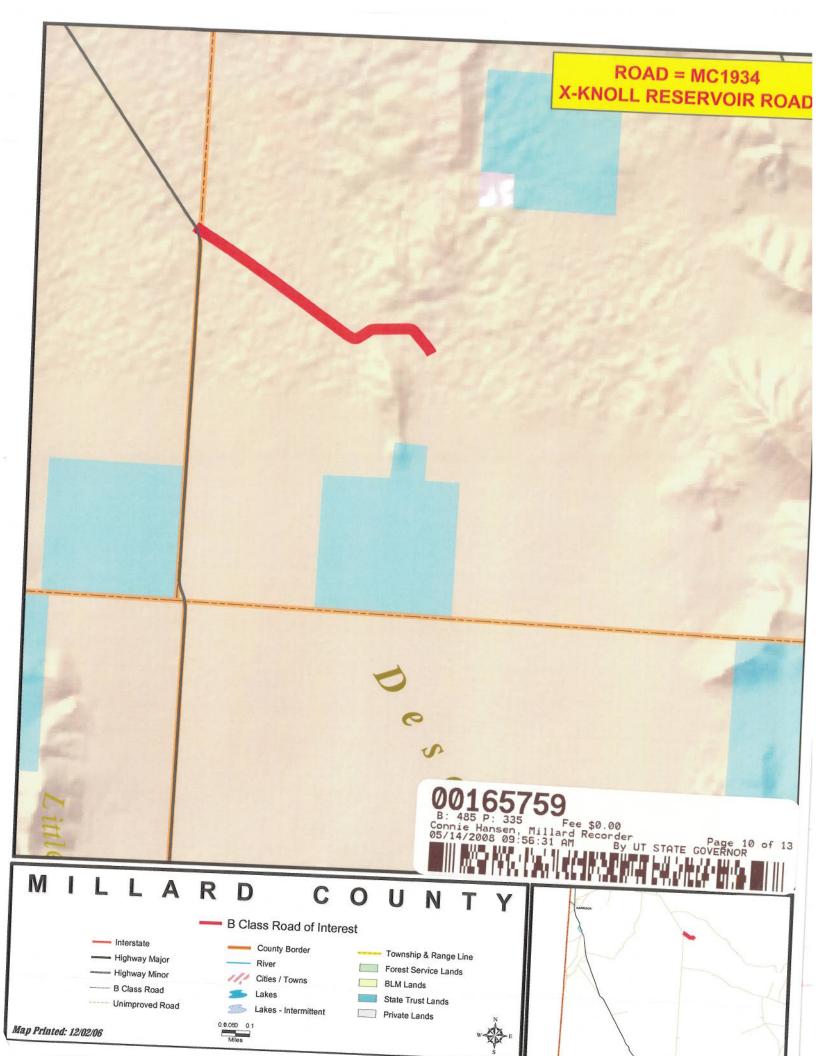
DATED this 6 day of December, 2006.

JAY APKINSON

SUBSCRIBED AND SWORN to before me this _______ day of December, 2006.

Notary Public
GLORIA SCHRADER
5110 State Office Bidg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC



AFFIDAVIT OF LELAND J. ROPER X-KNOLL RESERVOIR ROAD MILLARD COUNTY, UTAH ROAD NUMBER MC1934

State of Utah)
	: ss.
County of Millard)

LELAND J. ROPER, 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 Delta, Millard County, Utah. I have lived in Millard County for seventy-four years. I was an employee of the Road Department in the position of Road Superintendent from 1982 through 1993, and participated in maintenance of the road during that time.
- 2. I have traveled and am familiar with a road in Millard County known as the X-Knoll Reservoir Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1950, it followed the same route as in 2001 when I last observed it.

 Attached is a Millard County map showing the X-Knoll Reservoir 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.
- 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 use, to come and go as they pleased, since at least as early as 1950 and continuing through 1976 to 2001. Throughout this time period I have observed travel on the road by various means, including cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used weekly for more than ten continuous years prior to 1976, and was so used through 2001.



- 5. Throughout the time period from 1950 to 2001, I have used the road myself for the following uses: hunting and sight seeing.
- 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: mining, prospecting for minerals, livestock operations, tourism, government access, wood gathering, recreation and traveling 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 1930 and continuing through 1976 to the present, for the uses described in the previous paragraphs.
- 8. I observed the following evidence of maintenance/construction activities on the road prior to 1976: I have personally observed the graded surface of the road.

DATED this 4 day of December, 2006.

LELAND J. ROPER

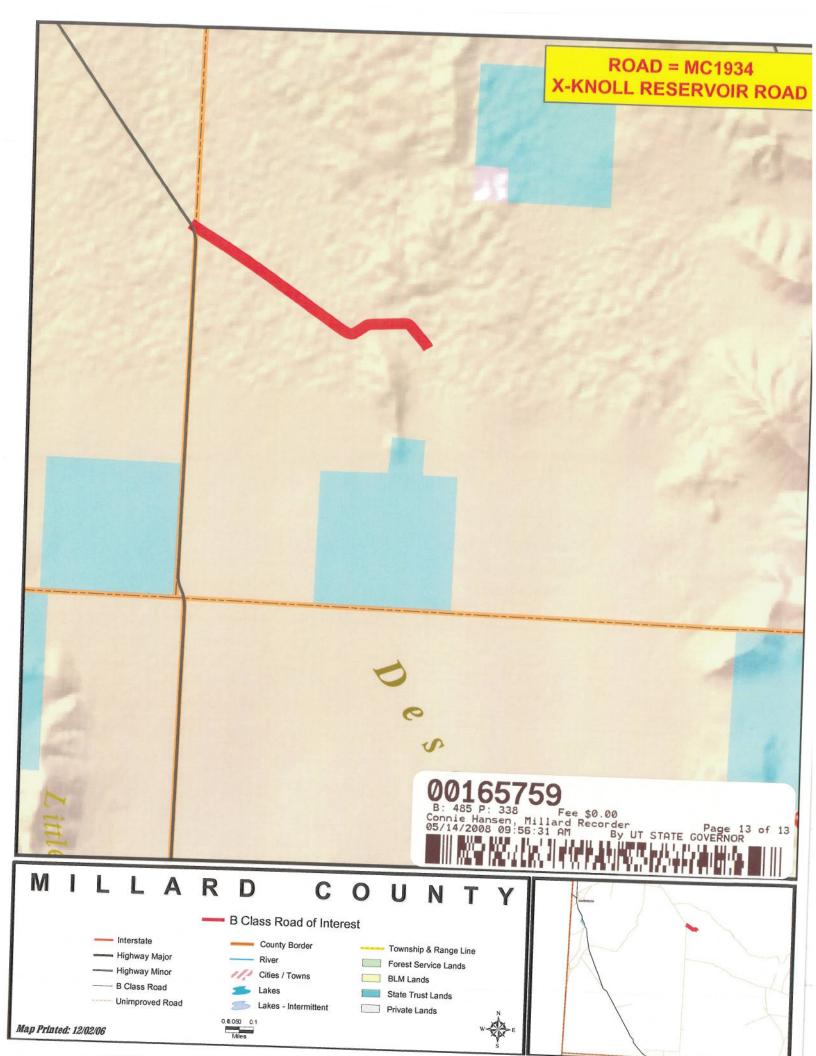
SUBSCRIBED AND SWORN to before me this ______ day of December, 2006.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC

00165759 B: 485 P: 337 Connie Hansen, Millar

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Appendix A to Attachment 4

Popular Name: X-Knoll Reservoir Road

County: Millard

County Road Number: MC1934

State Geographic Information Database (SGID) Road Identification Number: RD141008.

Road-Segment Number: 001

Road-Segment Length: 2.06 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 22 South Range 16 West, Section(s) 19,20,29, Salt Lake Base & Meridian

Township 22 South Range 17 West, Section(s) 24, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (X-Knoll Reservoir 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 53 minutes 32.22 seconds North Latitude and -113 degrees 41 minutes 42.24 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,015,661.4 feet and Y = 6,772,928.2 feet; thence the following courses along the said road center line:

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thence South 54 Degrees 22 Minutes 37 Seconds East 70.5 feet
thence South 55 Degrees 00 Minutes 51 Seconds East 32.9 feet
thence South 59 Degrees 09 Minutes 13 Seconds East 57.1 feet
thence South 60 Degrees 33 Minutes 58 Seconds East 95.9 feet
thence South 60 Degrees 32 Minutes 30 Seconds East 13.2 feet
thence South 59 Degrees 29 Minutes 44 Seconds East 149.3 feet
thence South 58 Degrees 30 Minutes 02 Seconds East 172.5 feet
thence South 58 Degrees 52 Minutes 00 Seconds East 183.7 feet
thence South 58 Degrees 38 Minutes 16 Seconds East 178.8 feet
thence South 58 Degrees 44 Minutes 19 Seconds East 165.5 feet
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thence South 58 Degrees 48 Minutes 06 Seconds East 160.8 feet
thence South 58 Degrees 36 Minutes 24 Seconds East 153 feet
thence South 58 Degrees 23 Minutes 54 Seconds East 136 feet
thence South 58 Degrees 16 Minutes 52 Seconds East 105.2 feet
thence South 58 Degrees 28 Minutes 59 Seconds East 69.1 feet
thence South 56 Degrees 28 Minutes 43 Seconds East 44.2 feet
thence South 57 Degrees 13 Minutes 34 Seconds East 107.6 feet
thence South 56 Degrees 55 Minutes 52 Seconds East 140.2 feet
thence South 56 Degrees 28 Minutes 39 Seconds East 131.5 feet
thence South 56 Degrees 33 Minutes 20 Seconds East 127 feet
thence South 56 Degrees 58 Minutes 47 Seconds East 122.5 feet
thence South 57 Degrees 02 Minutes 22 Seconds East 105.9 feet
thence South 55 Degrees 12 Minutes 46 Seconds East 18.8 feet
thence South 56 Degrees 42 Minutes 53 Seconds East 132.3 feet
thence South 57 Degrees 18 Minutes 53 Seconds East 166.9 feet
thence South 56 Degrees 32 Minutes 07 Seconds East 170 feet
thence South 55 Degrees 59 Minutes 12 Seconds East 162.4 feet
thence South 55 Degrees 29 Minutes 44 Seconds East 161 feet
thence South 56 Degrees 18 Minutes 13 Seconds East 160.2 feet
thence South 55 Degrees 48 Minutes 31 Seconds East 158.8 feet
thence South 55 Degrees 43 Minutes 19 Seconds East 154.9 feet
thence South 55 Degrees 51 Minutes 58 Seconds East 142.7 feet
thence South 55 Degrees 35 Minutes 29 Seconds East 145.2 feet
thence South 55 Degrees 56 Minutes 45 Seconds East 144.2 feet
thence South 55 Degrees 31 Minutes 26 Seconds East 140.9 feet
thence South 55 Degrees 50 Minutes 39 Seconds East 131.6 feet
thence South 55 Degrees 49 Minutes 05 Seconds East 120.6 feet
thence South 54 Degrees 46 Minutes 12 Seconds East 102.8 feet
thence South 55 Degrees 59 Minutes 59 Seconds East 87.3 feet
thence South 55 Degrees 40 Minutes 21 Seconds East 73.3 feet
thence South 54 Degrees 10 Minutes 02 Seconds East 60.1 feet
thence South 55 Degrees 28 Minutes 57 Seconds East 32.8 feet
thence South 55 Degrees 36 Minutes 36 Seconds East 63.4 feet
thence South 55 Degrees 38 Minutes 54 Seconds East 104.5 feet
thence South 55 Degrees 16 Minutes 17 Seconds East 133.8 feet
thence South 55 Degrees 42 Minutes 16 Seconds East 157.8 feet
thence South 54 Degrees 24 Minutes 38 Seconds East 155 feet
thence South 55 Degrees 50 Minutes 30 Seconds East 151.9 feet
thence South 55 Degrees 42 Minutes 05 Seconds East 151.4 feet
thence South 56 Degrees 27 Minutes 14 Seconds East 146.1 feet
thence South 55 Degrees 39 Minutes 35 Seconds East 139.1 feet
thence South 55 Degrees 42 Minutes 39 Seconds East 129.5 feet
thence South 54 Degrees 01 Minutes 58 Seconds East 6.1 feet
thence South 55 Degrees 23 Minutes 50 Seconds East 134.8 feet
thence South 55 Degrees 37 Minutes 13 Seconds East 122.8 feet
thence South 55 Degrees 44 Minutes 09 Seconds East 115.1 feet
thence South 55 Degrees 26 Minutes 34 Seconds East 103.9 feet
thence South 56 Degrees 10 Minutes 38 Seconds East 99.4 feet
thence South 55 Degrees 47 Minutes 17 Seconds East 96.7 feet
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thence South 56 Degrees 23 Minutes 25 Seconds East 101.2 feet
thence South 58 Degrees 30 Minutes 44 Seconds East 51.7 feet
thence South 58 Degrees 46 Minutes 10 Seconds East 40.8 feet
thence South 62 Degrees 42 Minutes 52 Seconds East 75.1 feet
thence South 65 Degrees 41 Minutes 12 Seconds East 59.9 feet
thence South 74 Degrees 25 Minutes 51 Seconds East 57.6 feet
thence South 82 Degrees 22 Minutes 46 Seconds East 47.7 feet
thence North 86 Degrees 32 Minutes 00 Seconds East 47.3 feet
thence North 74 Degrees 58 Minutes 11 Seconds East 58 feet
thence North 61 Degrees 33 Minutes 37 Seconds East 68.8 feet
thence North 57 Degrees 01 Minutes 42 Seconds East 67.4 feet
thence North 56 Degrees 41 Minutes 22 Seconds East 7.8 feet
thence North 57 Degrees 04 Minutes 56 Seconds East 54.1 feet
thence North 55 Degrees 30 Minutes 46 Seconds East 40.8 feet
thence North 54 Degrees 57 Minutes 26 Seconds East 39.1 feet
thence North 53 Degrees 08 Minutes 25 Seconds East 38 feet
thence North 53 Degrees 47 Minutes 05 Seconds East 28 feet
thence North 55 Degrees 52 Minutes 58 Seconds East 37.1 feet
thence North 57 Degrees 12 Minutes 20 Seconds East 39.7 feet
thence North 54 Degrees 13 Minutes 22 Seconds East 46.3 feet
thence North 55 Degrees 13 Minutes 16 Seconds East 58.5 feet
thence North 58 Degrees 50 Minutes 28 Seconds East 70.3 feet
thence North 65 Degrees 38 Minutes 40 Seconds East 53.9 feet
thence North 79 Degrees 09 Minutes 08 Seconds East 39.4 feet
thence North 83 Degrees 25 Minutes 04 Seconds East 92.7 feet
thence North 85 Degrees 25 Minutes 11 Seconds East 109.5 feet
thence North 86 Degrees 07 Minutes 32 Seconds East 104.8 feet
thence North 87 Degrees 59 Minutes 54 Seconds East 109.6 feet
thence North 87 Degrees 07 Minutes 34 Seconds East 109 feet
thence North 86 Degrees 22 Minutes 11 Seconds East 95.6 feet
thence North 86 Degrees 20 Minutes 00 Seconds East 83.5 feet
thence North 86 Degrees 50 Minutes 11 Seconds East 65.4 feet
thence North 86 Degrees 36 Minutes 25 Seconds East 42.4 feet
thence North 88 Degrees 40 Minutes 17 Seconds East 18 feet
thence North 86 Degrees 59 Minutes 12 Seconds East 13.8 feet
thence North 85 Degrees 48 Minutes 45 Seconds East 14.5 feet
thence North 87 Degrees 09 Minutes 37 Seconds East 51.5 feet
thence North 86 Degrees 51 Minutes 02 Seconds East 32.8 feet
thence North 86 Degrees 38 Minutes 48 Seconds East 18.4 feet
thence North 86 Degrees 22 Minutes 29 Seconds East 39.4 feet
thence North 86 Degrees 54 Minutes 55 Seconds East 87.4 feet
thence North 87 Degrees 27 Minutes 09 Seconds East 99.8 feet
thence North 87 Degrees 36 Minutes 55 Seconds East 89.6 feet
thence South 89 Degrees 42 Minutes 39 Seconds East 65.3 feet
thence South 87 Degrees 36 Minutes 40 Seconds East 35.1 feet
thence South 85 Degrees 13 Minutes 46 Seconds East 37.2 feet
thence South 76 Degrees 10 Minutes 18 Seconds East 57.8 feet
thence South 64 Degrees 58 Minutes 26 Seconds East 53.7 feet
thence South 56 Degrees 10 Minutes 20 Seconds East 36.8 feet
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thence South 50 Degrees 45 Minutes 50 Seconds East 17 feet
thence South 45 Degrees 17 Minutes 12 Seconds East 6.5 feet
thence South 45 Degrees 04 Minutes 25 Seconds East 62.4 feet
thence South 39 Degrees 57 Minutes 28 Seconds East 107.4 feet
thence South 40 Degrees 49 Minutes 33 Seconds East 98.4 feet
thence South 40 Degrees 30 Minutes 26 Seconds East 69.6 feet
thence South 39 Degrees 12 Minutes 51 Seconds East 32.9 feet
thence South 41 Degrees 40 Minutes 29 Seconds East 70 feet
thence South 42 Degrees 16 Minutes 26 Seconds East 13.2 feet
thence South 41 Degrees 15 Minutes 42 Seconds East 109 feet
thence South 40 Degrees 37 Minutes 49 Seconds East 102.9 feet
thence South 41 Degrees 06 Minutes 29 Seconds East 101.9 feet
thence South 41 Degrees 02 Minutes 41 Seconds East 90.9 feet
thence South 39 Degrees 24 Minutes 15 Seconds East 76.9 feet
thence South 33 Degrees 05 Minutes 10 Seconds East 52.7 feet
thence South 52 Degrees 48 Minutes 38 Seconds East 12.4 feet
thence South 45 Degrees 58 Minutes 37 Seconds East 19.3 feet
thence South 25 Degrees 45 Minutes 00 Seconds East 15.3 feet
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thence South 28 Degrees 21 Minutes 33 Seconds East 27.9 feet more or less to **the ending point at:** 38 degrees 52 minutes 50.23 seconds North Latitude and -113 degrees 39 minutes 44.92 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,024,831.8 feet and Y = 6,768,455.1 feet.