

00165790
 B: 485 P: 729 Fee \$0.00
 Connie Hansen, Millard Recorder
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**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Twin Peak Cutoff Road 2; County Road Number: MC3407; State Geographic Information Database (SGID) Road Identification Number: RD141728. Total road length is 1.39 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 23rd 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 23rd day of April, 2008.





Notary Public

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Twin Peak Cutoff Road 2 - Millard County
SGID RD_ID RD141728

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Tribal, Indian Reservation
- NPS, National Park
- Wilderness
- UDWR Wildlife Reserve
- DOD, Military
- State Sovereign Land
- National Recreation Area
- USFWS, Natl. Wildlife Refuge

Transportation Network

- Twin Peak Cutoff Road 2
- Title V: Issued Or Under Consideration By BLM Or County
- Other Roads
- Photo Event Point
- Section = 1 Mile



1:16,324
 1 inch equals 0.3 miles



Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Nov 26, 2006



Attachment 2



EP141728001



EP141728004



EP141728006

EP000000000

EP000000000

EP000000000

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Twin Peak Cutoff Road 2 - Millard County
SGID RD_ID RD141728



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: Twin Peak Cutoff Road 2

County: Millard

County Road Number: MC3407

State Geographic Information Database (SGID) Road Identification Number: RD141728.

Total Road Length: 1.39 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 45 minutes 26.05 seconds North Latitude and -112 degrees 43 minutes 32.28 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,290,881.0 feet and Y = 6,718,467.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 46 minutes 32.99 seconds North Latitude and -112 degrees 43 minutes 4.9 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,293,142.0 feet and Y = 6,725,211.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 23 South Range 8 West, Section(s) 35, Salt Lake Base & Meridian

Township 24 South Range 8 West, Section(s) 2, Salt Lake Base & Meridian

See Attachment 1 above for a cartographic depiction of the course of this road.

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**Attachment 4
Road Centerline Description Cover Page(s)**

Popular Name: Twin Peak Cutoff Road 2

County: Millard

County Road Number: MC3407

State Geographic Information Database (SGID) Road Identification Number: RD141728.

Total Road Length: 1.39 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
RD141728	001	ST	0.39 Miles	(not shown)
RD141728	002	BLM	1 Miles	A
		Total Road Length	1.39	_____

* 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.

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Attachment 5

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AFFIDAVIT OF JAY ATKINSON
TWIN PEAK CUTOFF ROAD 2
MILLARD COUNTY, UTAH
ROAD NUMBER MC3407

State of Utah)
 : ss.
County of Millard)

JAY ATKINSON, 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 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 Twin Peak Cutoff Road 2. 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 Twin Peak Cutoff Road 2. 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 weekly for ten continuous years prior to 1976, and was so used through 2000.

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5. 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.

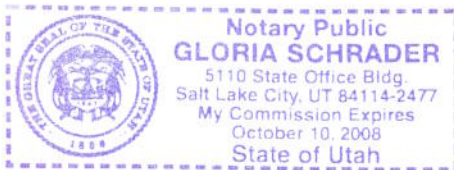
8. Prior to 1976, I participated in maintenance and construction activities on the road. Construction and maintenance have been performed since the early 1950s by Millard County Road Department.

DATED this 6 day of December, 2006.



JAY ATKINSON

SUBSCRIBED AND SWORN to before me this 6th day of December, 2006.





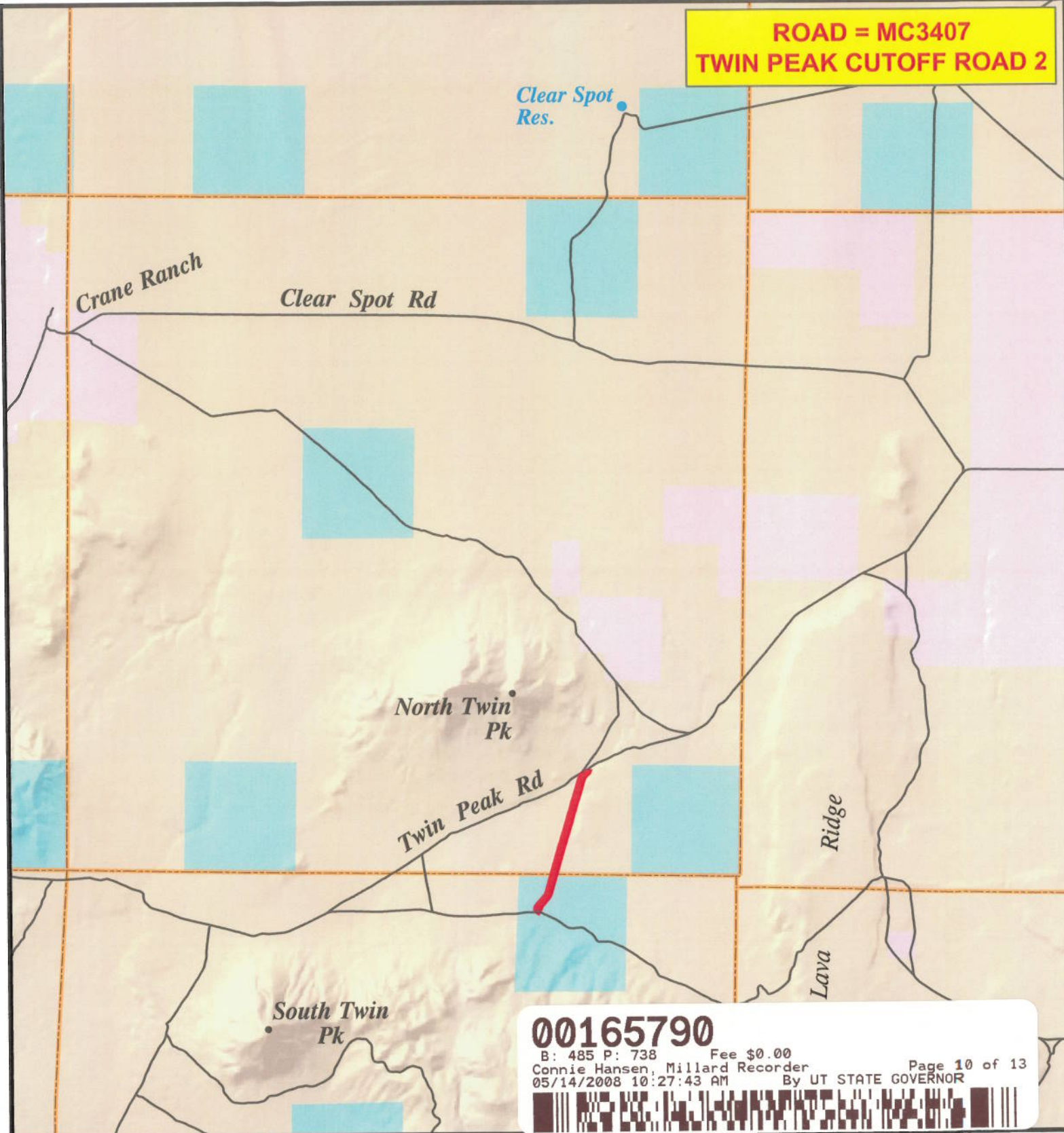
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**ROAD = MC3407
TWIN PEAK CUTOFF ROAD 2**



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M I L L A R D C O U N T Y

- B Class Road of Interest
- Interstate
- Highway Major
- Highway Minor
- B Class Road
- - - Unimproved Road
- County Border
- River
- / / / Cities / Towns
- Lakes
- Lakes - Intermittent
- Township & Range Line
- Forest Service Lands
- BLM Lands
- State Trust Lands
- Private Lands



AFFIDAVIT OF WILLIAM THAYNE HENRIE

TWIN PEAK CUTOFF ROAD 2

MILLARD COUNTY, UTAH

ROAD NUMBER MC3407

State of Utah)
 : ss.
County of Millard)

WILLIAM THAYNE HENRIE, 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 Millard County, Utah. I have lived in Millard County for fifty-eight years. I have been an employee of the Millard County Road Department since June of 1990, have been the Road Department Supervisor from January 1993 to the present and have participated in maintenance of the road during that time.

2. I have traveled and am familiar with a road in Millard County known as Twin Peak Cutoff Road 2. I am also familiar with the land the road traverses. When I first used and observed the road in the 1950s, it followed the same route as in 2006 when I last observed it. Attached is a Millard County map showing Twin Peak Cutoff Road 2. 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 1950s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by means of 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 is presently used weekly.

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5. Throughout the time period from the 1950s to the present, I have used the road myself for camping, gathering fire wood, hunting, rock hounding, participating in search and rescue efforts and recreation.

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 mining, prospecting for minerals, livestock operations, trapping, tourism, government access, picnicking, hiking 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 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

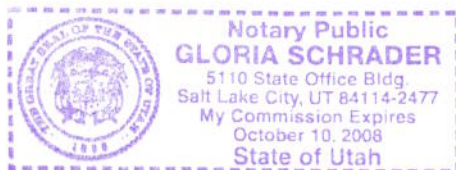
8. Prior to 1976 I observed graders and other maintenance equipment performing maintenance and construction activities on the road. Maintenance on the road has been performed since 1955 by the Millard County Road Department.

DATED this 5 day of December, 2006.



WILLIAM THAYNE HENRIE

SUBSCRIBED AND SWORN to before me this 5th day of December, 2006.

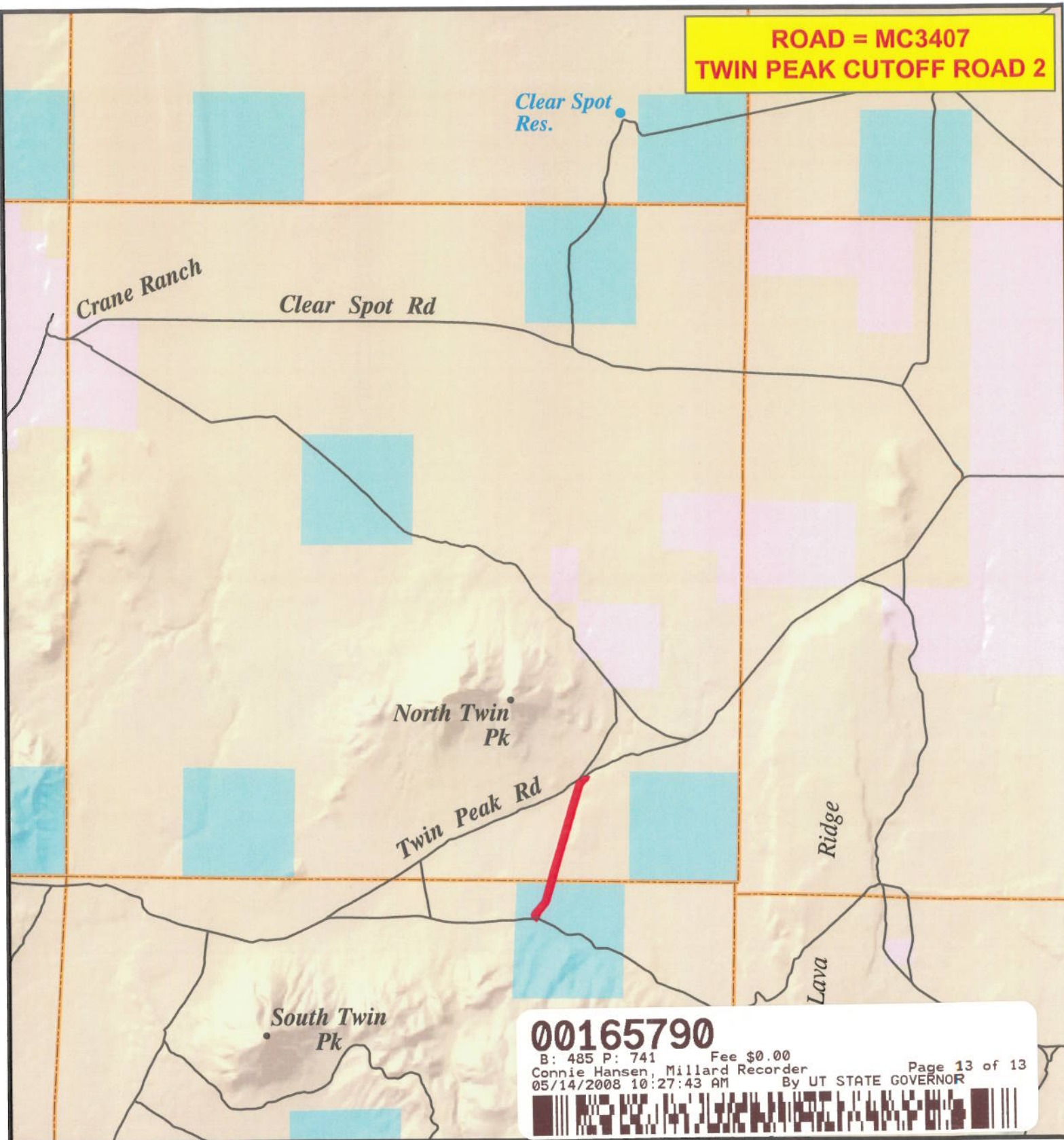




NOTARY PUBLIC



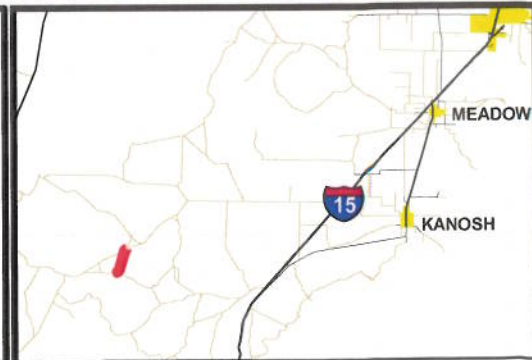
**ROAD = MC3407
TWIN PEAK CUTOFF ROAD 2**



MILLARD COUNTY

- Interstate
- Highway Major
- Highway Minor
- B Class Road
- Unimproved Road
- County Border
- River
- Cities / Towns
- Lakes
- Lakes - Intermittent
- Township & Range Line
- Forest Service Lands
- BLM Lands
- State Trust Lands
- Private Lands

— B Class Road of Interest



Appendix A to Attachment 4

Popular Name: Twin Peak Cutoff Road 2

County: Millard

County Road Number: MC3407

State Geographic Information Database (SGID) Road Identification Number: RD141728.

Road-Segment Number: 002

Road-Segment Length: 1 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 8 West, Section(s) 35, Salt Lake Base & Meridian

Township 24 South Range 8 West, Section(s) 2, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Twin Peak Cutoff Road 2)-- 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 38 degrees 45 minutes 43.57 seconds North Latitude and -112 degrees 43 minutes 24.86 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,291,493.1 feet and Y = 6,720,232.7 feet; thence the following courses along the said road center line:

thence North 15 Degrees 20 Minutes 48 Seconds East	8.5 feet
thence North 16 Degrees 37 Minutes 55 Seconds East	15.8 feet
thence North 15 Degrees 59 Minutes 54 Seconds East	44.4 feet
thence North 15 Degrees 32 Minutes 26 Seconds East	70.9 feet
thence North 16 Degrees 58 Minutes 13 Seconds East	76.3 feet
thence North 16 Degrees 24 Minutes 13 Seconds East	78.8 feet
thence North 15 Degrees 41 Minutes 03 Seconds East	75.1 feet
thence North 15 Degrees 15 Minutes 57 Seconds East	53.8 feet
thence North 16 Degrees 42 Minutes 44 Seconds East	29.2 feet
thence North 16 Degrees 15 Minutes 41 Seconds East	12.7 feet

thence North 15 Degrees 24 Minutes 47 Seconds East 43.6 feet
 thence North 16 Degrees 40 Minutes 14 Seconds East 60.7 feet
 thence North 16 Degrees 47 Minutes 10 Seconds East 65.9 feet
 thence North 15 Degrees 47 Minutes 42 Seconds East 71 feet
 thence North 15 Degrees 31 Minutes 25 Seconds East 61.4 feet
 thence North 16 Degrees 55 Minutes 40 Seconds East 34.4 feet
 thence North 17 Degrees 09 Minutes 05 Seconds East 12 feet
 thence North 14 Degrees 26 Minutes 52 Seconds East 12.9 feet
 thence North 16 Degrees 45 Minutes 12 Seconds East 25.7 feet
 thence North 15 Degrees 43 Minutes 28 Seconds East 34.5 feet
 thence North 15 Degrees 47 Minutes 42 Seconds East 35.5 feet
 thence North 14 Degrees 22 Minutes 50 Seconds East 14.2 feet
 thence North 17 Degrees 11 Minutes 32 Seconds East 25.1 feet
 thence North 17 Degrees 16 Minutes 32 Seconds East 41.3 feet
 thence North 16 Degrees 45 Minutes 12 Seconds East 51.5 feet
 thence North 15 Degrees 44 Minutes 00 Seconds East 61.8 feet
 thence North 16 Degrees 01 Minutes 52 Seconds East 67.7 feet
 thence North 16 Degrees 49 Minutes 38 Seconds East 68 feet
 thence North 16 Degrees 56 Minutes 45 Seconds East 49.8 feet
 thence North 14 Degrees 41 Minutes 58 Seconds East 19 feet
 thence North 17 Degrees 23 Minutes 19 Seconds East 23.8 feet
 thence North 17 Degrees 23 Minutes 02 Seconds East 55.1 feet
 thence North 17 Degrees 24 Minutes 35 Seconds East 73.4 feet
 thence North 15 Degrees 42 Minutes 42 Seconds East 83.3 feet
 thence North 16 Degrees 52 Minutes 21 Seconds East 84.5 feet
 thence North 15 Degrees 58 Minutes 23 Seconds East 87.9 feet
 thence North 16 Degrees 46 Minutes 36 Seconds East 91.7 feet
 thence North 16 Degrees 41 Minutes 42 Seconds East 74.1 feet
 thence North 16 Degrees 51 Minutes 24 Seconds East 27.8 feet
 thence North 15 Degrees 38 Minutes 59 Seconds East 7.2 feet
 thence North 18 Degrees 08 Minutes 21 Seconds East 5.2 feet
 thence North 16 Degrees 50 Minutes 40 Seconds East 36.7 feet
 thence North 16 Degrees 42 Minutes 44 Seconds East 58.3 feet
 thence North 16 Degrees 48 Minutes 25 Seconds East 75.9 feet
 thence North 16 Degrees 10 Minutes 09 Seconds East 84.5 feet
 thence North 16 Degrees 48 Minutes 25 Seconds East 89.3 feet
 thence North 16 Degrees 46 Minutes 41 Seconds East 96.1 feet
 thence North 16 Degrees 30 Minutes 33 Seconds East 102.2 feet
 thence North 16 Degrees 28 Minutes 23 Seconds East 103.5 feet
 thence North 16 Degrees 04 Minutes 24 Seconds East 103.6 feet
 thence North 16 Degrees 50 Minutes 52 Seconds East 101.3 feet
 thence North 17 Degrees 04 Minutes 59 Seconds East 90.1 feet
 thence North 16 Degrees 12 Minutes 31 Seconds East 55.4 feet
 thence North 15 Degrees 44 Minutes 39 Seconds East 27.3 feet
 thence North 16 Degrees 27 Minutes 16 Seconds East 35.3 feet
 thence North 15 Degrees 46 Minutes 59 Seconds East 58.1 feet
 thence North 16 Degrees 16 Minutes 30 Seconds East 70.2 feet
 thence North 16 Degrees 22 Minutes 45 Seconds East 74.3 feet
 thence North 16 Degrees 03 Minutes 55 Seconds East 74.6 feet

thence North 16 Degrees 30 Minutes 27 Seconds East 69.2 feet
 thence North 16 Degrees 01 Minutes 30 Seconds East 61.9 feet
 thence North 16 Degrees 14 Minutes 38 Seconds East 56.5 feet
 thence North 15 Degrees 35 Minutes 39 Seconds East 46.7 feet
 thence North 16 Degrees 13 Minutes 48 Seconds East 31.1 feet
 thence North 17 Degrees 34 Minutes 58 Seconds East 21.4 feet
 thence North 15 Degrees 20 Minutes 47 Seconds East 17 feet
 thence North 15 Degrees 55 Minutes 27 Seconds East 18.8 feet
 thence North 17 Degrees 21 Minutes 15 Seconds East 22.7 feet
 thence North 19 Degrees 06 Minutes 07 Seconds East 24.7 feet
 thence North 20 Degrees 04 Minutes 50 Seconds East 24.5 feet
 thence North 16 Degrees 28 Minutes 31 Seconds East 25 feet
 thence North 15 Degrees 55 Minutes 27 Seconds East 18.8 feet
 thence North 16 Degrees 24 Minutes 12 Seconds East 6.9 feet
 thence North 22 Degrees 54 Minutes 10 Seconds East 5 feet
 thence North 16 Degrees 35 Minutes 27 Seconds East 19.2 feet
 thence North 17 Degrees 33 Minutes 51 Seconds East 31 feet
 thence North 15 Degrees 54 Minutes 28 Seconds East 40 feet
 thence North 16 Degrees 24 Minutes 12 Seconds East 41.1 feet
 thence North 17 Degrees 34 Minutes 58 Seconds East 21.4 feet
 thence North 17 Degrees 55 Minutes 45 Seconds East 28.3 feet
 thence North 18 Degrees 08 Minutes 20 Seconds East 43.6 feet
 thence North 17 Degrees 26 Minutes 04 Seconds East 50.6 feet
 thence North 16 Degrees 55 Minutes 28 Seconds East 58.7 feet
 thence North 16 Degrees 41 Minutes 42 Seconds East 61.8 feet
 thence North 16 Degrees 10 Minutes 18 Seconds East 54.4 feet
 thence North 15 Degrees 11 Minutes 33 Seconds East 28.3 feet
 thence North 12 Degrees 56 Minutes 40 Seconds East 5.7 feet
 thence North 16 Degrees 57 Minutes 47 Seconds East 35.4 feet
 thence North 16 Degrees 42 Minutes 15 Seconds East 53.9 feet
 thence North 17 Degrees 05 Minutes 38 Seconds East 62.6 feet
 thence North 17 Degrees 19 Minutes 00 Seconds East 65.1 feet
 thence North 17 Degrees 04 Minutes 29 Seconds East 67 feet
 thence North 17 Degrees 10 Minutes 26 Seconds East 67.8 feet
 thence North 17 Degrees 52 Minutes 27 Seconds East 67.3 feet
 thence North 17 Degrees 46 Minutes 35 Seconds East 65.6 feet
 thence North 20 Degrees 17 Minutes 47 Seconds East 60.6 feet
 thence North 21 Degrees 40 Minutes 43 Seconds East 40.3 feet
 thence North 27 Degrees 30 Minutes 20 Seconds East 20.4 feet
 thence North 28 Degrees 49 Minutes 41 Seconds East 26.3 feet
 thence North 32 Degrees 08 Minutes 26 Seconds East 41.6 feet
 thence North 35 Degrees 29 Minutes 35 Seconds East 34.8 feet
 thence North 42 Degrees 58 Minutes 06 Seconds East 7.7 feet
 thence North 41 Degrees 43 Minutes 49 Seconds East 35.8 feet
 thence North 44 Degrees 07 Minutes 31 Seconds East 45.9 feet
 thence North 47 Degrees 08 Minutes 26 Seconds East 43.7 feet
 thence North 45 Degrees 39 Minutes 13 Seconds East 42 feet
 thence North 46 Degrees 03 Minutes 07 Seconds East 39.5 feet
 thence North 41 Degrees 03 Minutes 06 Seconds East 43.7 feet

thence North 29 Degrees 52 Minutes 08 Seconds East 44.4 feet
thence North 13 Degrees 00 Minutes 47 Seconds East 31.4 feet
thence North 03 Degrees 33 Minutes 39 Seconds East 29.3 feet more or less to **the ending**
point at: 38 degrees 46 minutes 32.99 seconds North Latitude and -112 degrees 43 minutes 4.9 seconds West
Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet
coordinates of X = 1,293,142.0 feet and Y = 6,725,211.1 feet.