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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Black Ridge Loop Road; County Road Number: MC3506; State Geographic Information Database (SGID) Road Identification Number: RD141835. Total road length is 1.05 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 4perc, 200 8.

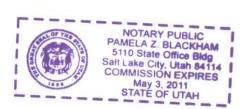
By the Governor's Designee

John Haria

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.

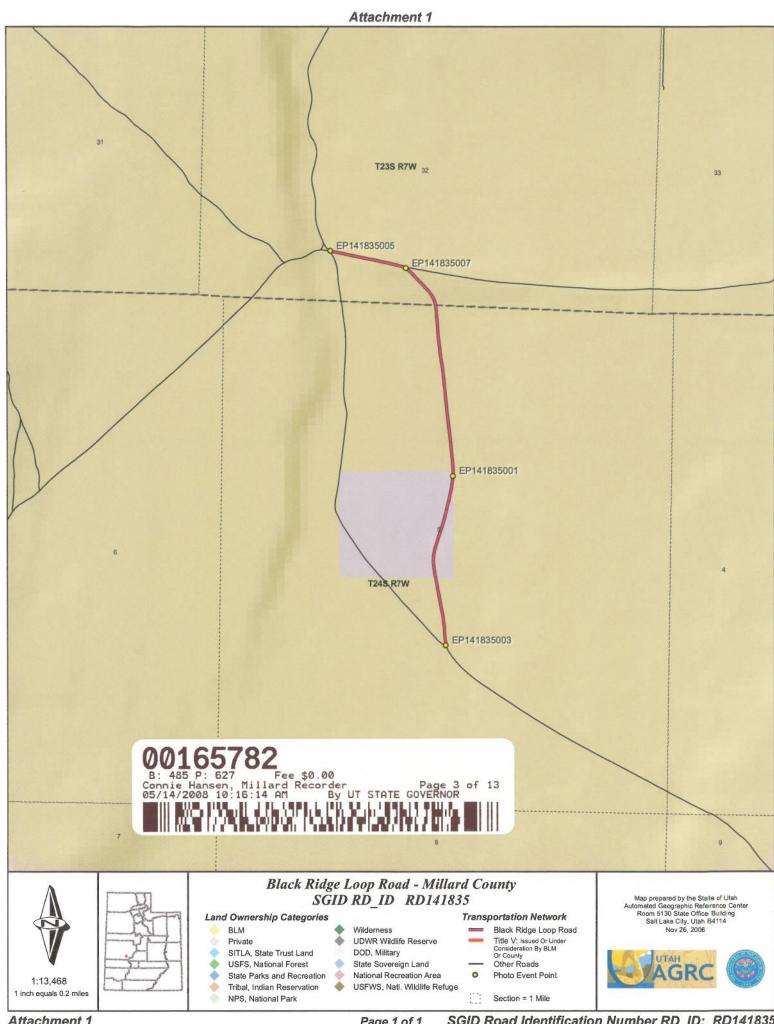


Dated this 23 day of april, 2008.

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Notary Public.

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Attachment 2











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Black Ridge Loop Road - Millard County SGID RD_ID RD141835

Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Sait Lake City, Utah 84114 November 24, 2006



Attachment 3

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

Popular Name: Black Ridge Loop Road

County: Millard

County Road Number: MC3506

State Geographic Information Database (SGID) Road Identification Number: RD141835.

Total Road Length: 1.05 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 44 minutes 57.91 seconds North Latitude and -112 degrees 39 minutes 48.94 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,308,536.0 feet and Y = 6,715,384.9 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 45 minutes 43.47 seconds North Latitude and -112 degrees 40 minutes 07.41 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,307,132.8 feet and Y = 6,720,012.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 23 South Range 7 West, Section(s) 32, Salt Lake Base & Meridian Township 24 South Range 7 West, Section(s) 5, 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: Black Ridge Loop Road

County: Millard

County Road Number: MC3506

State Geographic Information Database (SGID) Road Identification Number: RD141835.

Total Road Length: 1.05 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
RD141835	001	BLM	0.16 Miles	A
RD141835	002	PVT	0.25 Miles	(not shown)
RD141835	003	BLM	0.65 Miles	В
		Total Road Length	1.05	·

^{*} 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 WILLIAM THAYNE HENRIE

BLACK RIDGE LOOP ROAD

MILLARD COUNTY, UTAH

ROAD NUMBER MC3506

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 Black Ridge Loop Road. 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 Black Ridge Loop 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 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.

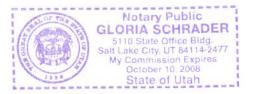
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- Throughout the time period from the 1950s to the present, I have used the road myself for camping, gathering fire wood, hunting, rock hounding, participating in search and rescue efforts and recreation.
- 6. Throughout the time period described in 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 _____ day of December, 2006.

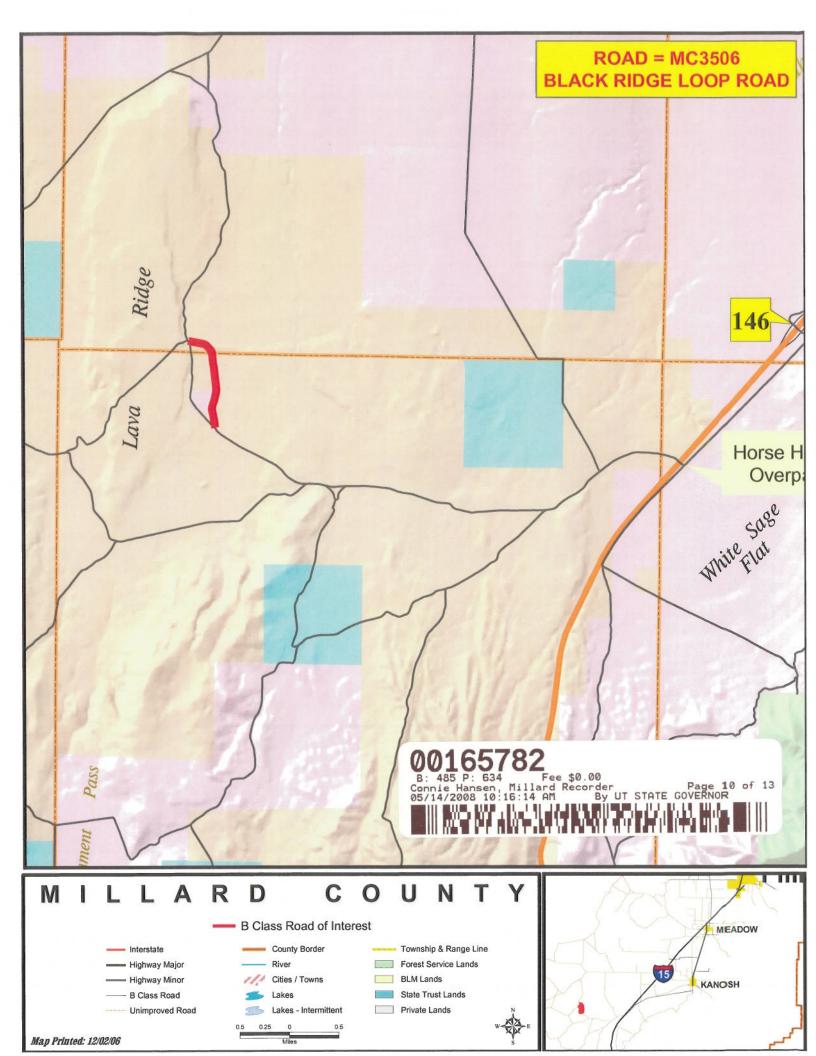
WILLIAM THAYNE HENRIE

SUBSCRIBED AND SWORN to before me this 572 day of December, 2006.



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AFFIDAVIT OF JOHN LARSEN

BLACK RIDGE LOOP ROAD

MILLARD COUNTY, UTAH

ROAD NUMBER MC3506

State of Utah)
	: SS
County of Millard)

JOHN LARSEN, 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 forty-six years. I have been an employee of the Millard County Road Department since June 1980 to 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 the Black Ridge Loop 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 2006 when I last observed it. Attached is a Millard County map showing Black Ridge Loop 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 to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by various means, including car, truck, recreational vehicle, and pickup truck. 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 1960s to the present, I have used the road myself for the following uses: hunting, camping, gathering fire wood, 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: Mining, prospecting for minerals, livestock operations, farming, 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 1900 and continuing through 1976 to the present, for the uses described in the previous paragraphs.
- Prior to 1976, I observed the graded surface of the road and have personally graded the road since 1980.

DATED this _____ day of December, 2006.

JOHN LARSEN

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

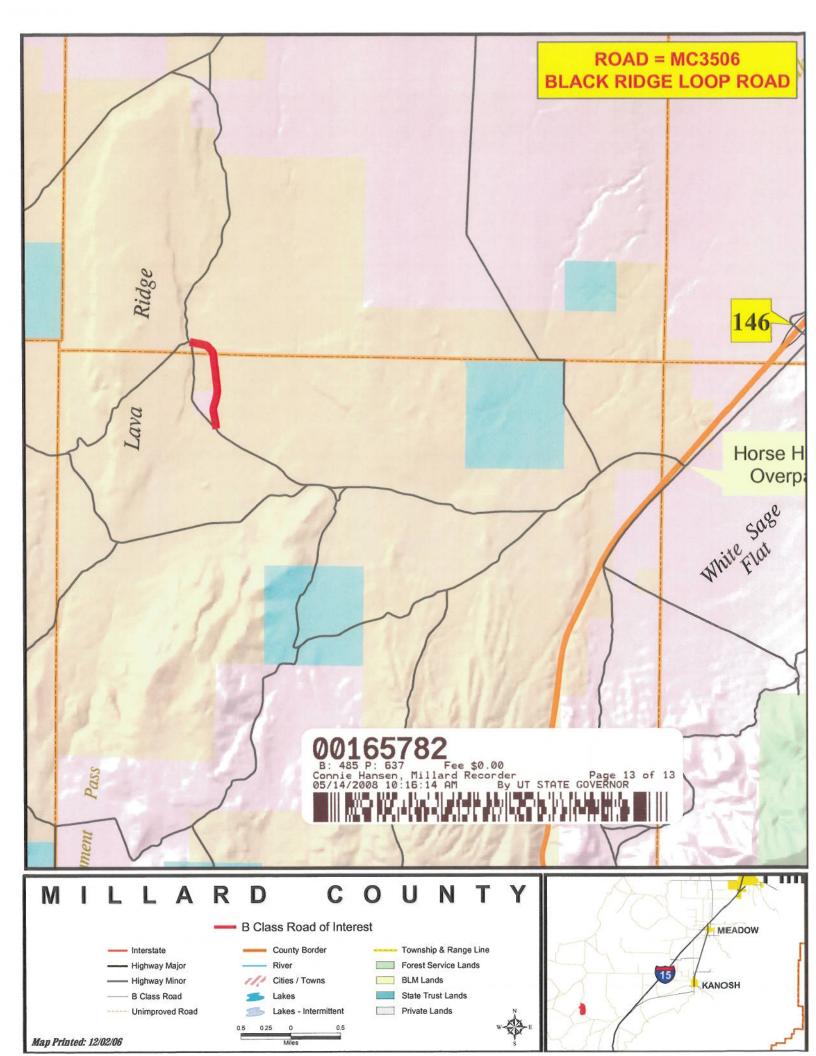
Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

Ylorca Schrader NOTARY PUBLIC

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Appendix A to Attachment 4

Popular Name: Black Ridge Loop Road

County: Millard

County Road Number: MC3506

State Geographic Information Database (SGID) Road Identification Number: RD141835.

Road-Segment Number: 001

Road-Segment Length: 0.16 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 24 South Range 7 West, Section(s) 5, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Black Ridge Loop 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 44 minutes 57.91 seconds North Latitude and -112 degrees 39 minutes 48.94 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,308,536.0 feet and Y = 6,715,384.9 feet; thence the following courses along the said road center line:

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thence North 09 Degrees 33 Minutes 38 Seconds West 46.9 feet thence North 08 Degrees 12 Minutes 48 Seconds West 50 feet thence North 05 Degrees 27 Minutes 57 Seconds West 69.2 feet thence North 05 Degrees 04 Minutes 50 Seconds West 74.8 feet thence North 06 Degrees 17 Minutes 24 Seconds West 66 feet thence North 08 Degrees 59 Minutes 42 Seconds West 60.8 feet thence North 09 Degrees 45 Minutes 30 Seconds West 63.9 feet thence North 11 Degrees 17 Minutes 05 Seconds West 68.9 feet thence North 10 Degrees 43 Minutes 11 Seconds West 70.7 feet thence North 10 Degrees 31 Minutes 37 Seconds West 68.4 feet thence North 11 Degrees 12 Minutes 50 Seconds West 65.8 feet
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thence North 11 Degrees 32 Minutes 36 Seconds West 58.9 feet thence North 11 Degrees 14 Minutes 17 Seconds West 50.1 feet

thence North 11 Degrees 36 Minutes 21 Seconds West 5 feet more or less to **the ending point** at: 38 degrees 45 minutes 05.88 seconds North Latitude and -112 degrees 39 minutes 50.71 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,308,405.8 feet and Y = 6,716,193.2 feet.

Appendix B to Attachment 4

Popular Name: Black Ridge Loop Road

County: Millard

County Road Number: MC3506

State Geographic Information Database (SGID) Road Identification Number: RD141835.

Road-Segment Number: 003

Road-Segment Length: 0.65 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 7 West, Section(s) 32, Salt Lake Base & Meridian Township 24 South Range 7 West, Section(s) 5, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Black Ridge Loop Road)-- Segment 003 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 18.41 seconds North Latitude and -112 degrees 39 minutes 48.45 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,308,601.4 feet and Y = 6,717,458.3 feet; thence the following courses along the said road center line:

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thence North 03 Degrees 48 Minutes 24 Seconds West 53.6 feet thence North 04 Degrees 53 Minutes 25 Seconds West 73.7 feet thence North 05 Degrees 30 Minutes 31 Seconds West 93.9 feet thence North 05 Degrees 53 Minutes 56 Seconds West 104.2 feet thence North 07 Degrees 22 Minutes 42 Seconds West 109.1 feet thence North 07 Degrees 07 Minutes 31 Seconds West 110.4 feet thence North 06 Degrees 21 Minutes 40 Seconds West 105.6 feet thence North 06 Degrees 08 Minutes 32 Seconds West 96.7 feet thence North 05 Degrees 56 Minutes 31 Seconds West 86.7 feet thence North 06 Degrees 26 Minutes 09 Seconds West 82.8 feet
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thence North 06 Degrees 08 Minutes 46 Seconds West 80.5 feet
thence North 06 Degrees 19 Minutes 04 Seconds West 78.2 feet
thence North 07 Degrees 34 Minutes 16 Seconds West 77.7 feet
thence North 07 Degrees 19 Minutes 52 Seconds West 77.7 feet
thence North 08 Degrees 04 Minutes 21 Seconds West 75.2 feet
thence North 08 Degrees 18 Minutes 34 Seconds West 68.3 feet
thence North 06 Degrees 50 Minutes 49 Seconds West 69 feet
thence North 07 Degrees 53 Minutes 27 Seconds West 74.5 feet
thence North 06 Degrees 03 Minutes 16 Seconds West 78.5 feet
thence North 04 Degrees 22 Minutes 54 Seconds West 78.3 feet
thence North 04 Degrees 19 Minutes 41 Seconds West 74.7 feet
thence North 05 Degrees 11 Minutes 43 Seconds West 69.2 feet
thence North 04 Degrees 52 Minutes 56 Seconds West 61.6 feet
thence North 08 Degrees 14 Minutes 57 Seconds West 45.1 feet
thence North 11 Degrees 36 Minutes 22 Seconds West 3.3 feet
thence North 08 Degrees 17 Minutes 08 Seconds West 18.9 feet
thence North 11 Degrees 36 Minutes 22 Seconds West 8.4 feet
thence North 09 Degrees 45 Minutes 31 Seconds West 6 feet
thence North 14 Degrees 40 Minutes 39 Seconds West 39.6 feet
thence North 28 Degrees 05 Minutes 51 Seconds West 61.2 feet
thence North 36 Degrees 15 Minutes 24 Seconds West 62 feet
thence North 42 Degrees 05 Minutes 06 Seconds West 70.4 feet
thence North 44 Degrees 20 Minutes 17 Seconds West 69.4 feet
thence North 43 Degrees 12 Minutes 22 Seconds West 63.6 feet
thence North 44 Degrees 50 Minutes 42 Seconds West 58.9 feet
thence North 45 Degrees 34 Minutes 32 Seconds West 47.6 feet
thence North 48 Degrees 20 Minutes 40 Seconds West 39.3 feet
thence North 55 Degrees 44 Minutes 52 Seconds West 24.3 feet
thence North 53 Degrees 39 Minutes 43 Seconds West 15.9 feet
thence North 64 Degrees 24 Minutes 33 Seconds West 24.8 feet
thence North 74 Degrees 02 Minutes 10 Seconds West 16.4 feet
thence North 75 Degrees 54 Minutes 53 Seconds West 13.2 feet
thence North 74 Degrees 59 Minutes 59 Seconds West 39.8 feet
thence North 77 Degrees 33 Minutes 03 Seconds West 56.5 feet
thence North 78 Degrees 34 Minutes 50 Seconds West 72.7 feet
thence North 78 Degrees 18 Minutes 48 Seconds West 82.2 feet
thence North 78 Degrees 16 Minutes 48 Seconds West 83.5 feet
thence North 78 Degrees 33 Minutes 27 Seconds West 77.4 feet
thence North 78 Degrees 03 Minutes 14 Seconds West 71.2 feet
thence North 79 Degrees 43 Minutes 34 Seconds West 69.8 feet
thence North 79 Degrees 13 Minutes 11 Seconds West 63.2 feet
thence North 78 Degrees 06 Minutes 17 Seconds West 54.4 feet
thence North 77 Degrees 46 Minutes 02 Seconds West 33.3 feet
thence North 78 Degrees 05 Minutes 44 Seconds West 12.4 feet
thence North 78 Degrees 12 Minutes 05 Seconds West 4.7 feet
thence North 77 Degrees 53 Minutes 19 Seconds West 33.6 feet
thence North 79 Degrees 30 Minutes 43 Seconds West 35.1 feet
thence North 78 Degrees 45 Minutes 42 Seconds West 32.8 feet
thence North 81 Degrees 43 Minutes 37 Seconds West 24.2 feet
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thence North 82 Degrees 54 Minutes 36 Seconds West 17.9 feet more or less to **the ending point at:** 38 degrees 45 minutes 43.47 seconds North Latitude and -112 degrees 40 minutes 07.41 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,307,132.8 feet and Y = 6,720,012.9 feet.