

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Tooele County as it pertains to the highway located in Tooele County known as West Mercur Road; County Road Number: tc20899; State Geographic Information Database (SGID) Road Identification Number: RD230152. Total road length is 2.32 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 20th day of June, 2008.

By the Governor's Designee



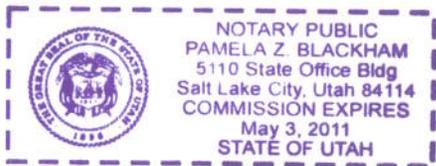
John Harja

CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

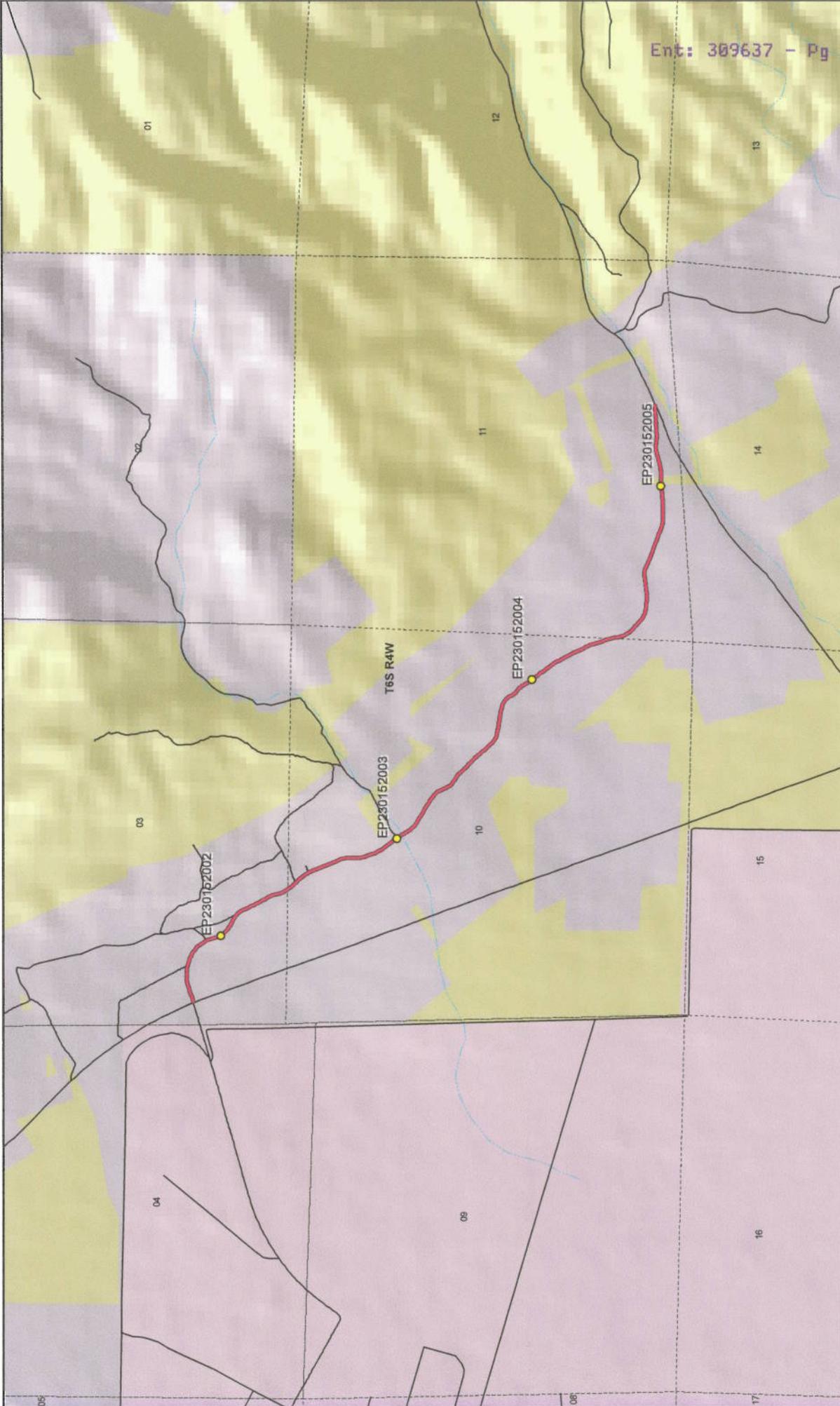
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 20th day of June, 2008.





Notary Public



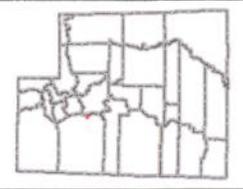
Ent: 309637 - Pg 3 of 13

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Jun 17, 2008



**West Mercur Road - Tooele County
SGID RD_ID RD230152**

- | | | | |
|----------------------------------|-------------------------------|---|---|
| Land Ownership Categories | | Transportation Network | |
| BLM | Wilderness | West Mercur Road | Other Roads |
| Private | UDWR Wildlife Reserve | Title V, Issued Or Under Consideration By BLM | Title V, Issued Or Under Consideration By BLM |
| SITLA, State Trust Land | DOD, Military | Photo Event Point | Photo Event Point |
| USFS, National Forest | State Sovereign Land | Section = 1 Mile | Section = 1 Mile |
| State Parks and Recreation | National Recreation Area | | |
| Tribal, Indian Reservation | USEFWS, Natl. Wildlife Refuge | | |
| NPS, National Park | | | |



1:22,963
1 inch equals 0.4 miles



EP230152002



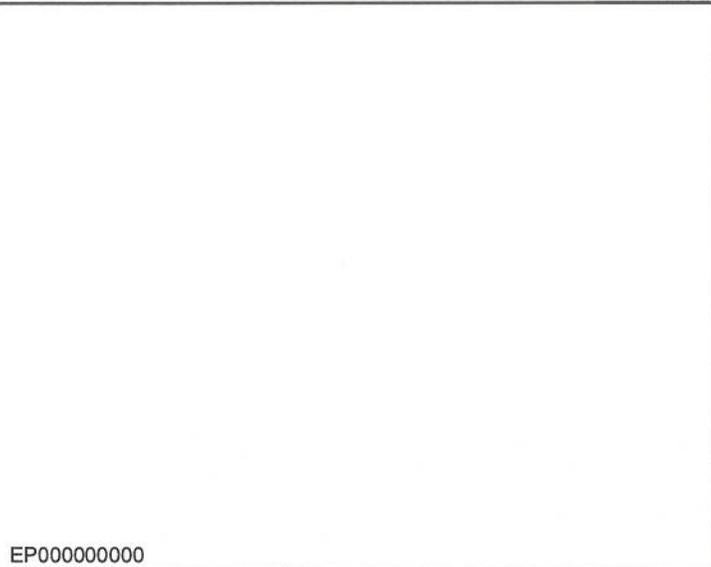
EP230152003



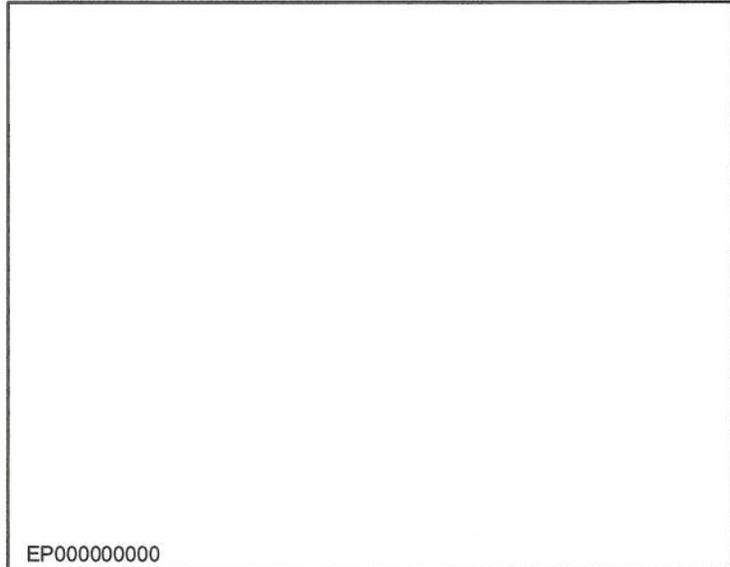
EP230152004



EP230152005



EP000000000



EP000000000

West Mercur Road - Tooele County
SGID RD_ID RD230152

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
June 18, 2008



Attachment 3

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

Popular Name: West Mercur Road

County: Tooele

County Road Number: tc20899

State Geographic Information Database (SGID) Road Identification Number: RD230152.

Total Road Length: 2.32 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 19 minutes 28.64 seconds North Latitude and -112 degrees 17 minutes 17.96 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,420,624.4 feet and Y = 7,287,941.4 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 18 minutes 24.68 seconds North Latitude and -112 degrees 15 minutes 26.45 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,429,205.7 feet and Y = 7,281,394.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 6 South Range 4 West, Section(s) 3,10,11, 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: West Mercur Road

County: Tooele

County Road Number: tc20899

State Geographic Information Database (SGID) Road Identification Number: RD230152.

Total Road Length: 2.32 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
RD230152	001	PVT	2.1 Miles	(not shown)
RD230152	002	BLM	0.02 Miles	A
RD230152	003	PVT	0.2 Miles	(not shown)
		Total Road Length	2.32	_____

* 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 DANNY RYDALCH
WEST MERCUR ROAD
COUNTY ROAD NUMBER 20899
TOOELE COUNTY, UTAH

State of Utah)
 : ss.
County of Tooele)

DANNY RYDALCH, 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 have lived in Tooele County for 54 years.

2. I have traveled and am familiar with a road in Tooele County known as West Mercur 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 Tooele County map showing West Mercur 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. The County also identifies this road according to the road number listed above.

3. 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. Throughout this time period I have observed travel on the road by various means, including cars, trucks and jeeps. Throughout this time period, the road has been used monthly, weather permitting, for more than ten continuous years prior to 1976, and was so used in 2006.

4. Throughout the time period from the early 1960s to 2007, I have used the road myself for livestock operations.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus mining, rock hounding, metal detecting, bottle collecting, prospecting for minerals and hunting.

6. 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 to the present, for the uses described in the previous paragraphs.

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

Dated this 27 day of August, 2007.


DANNY RYDALCH

SUBSCRIBED AND SWORN to before me this 27th day of August, 2007.


NOTARY PUBLIC

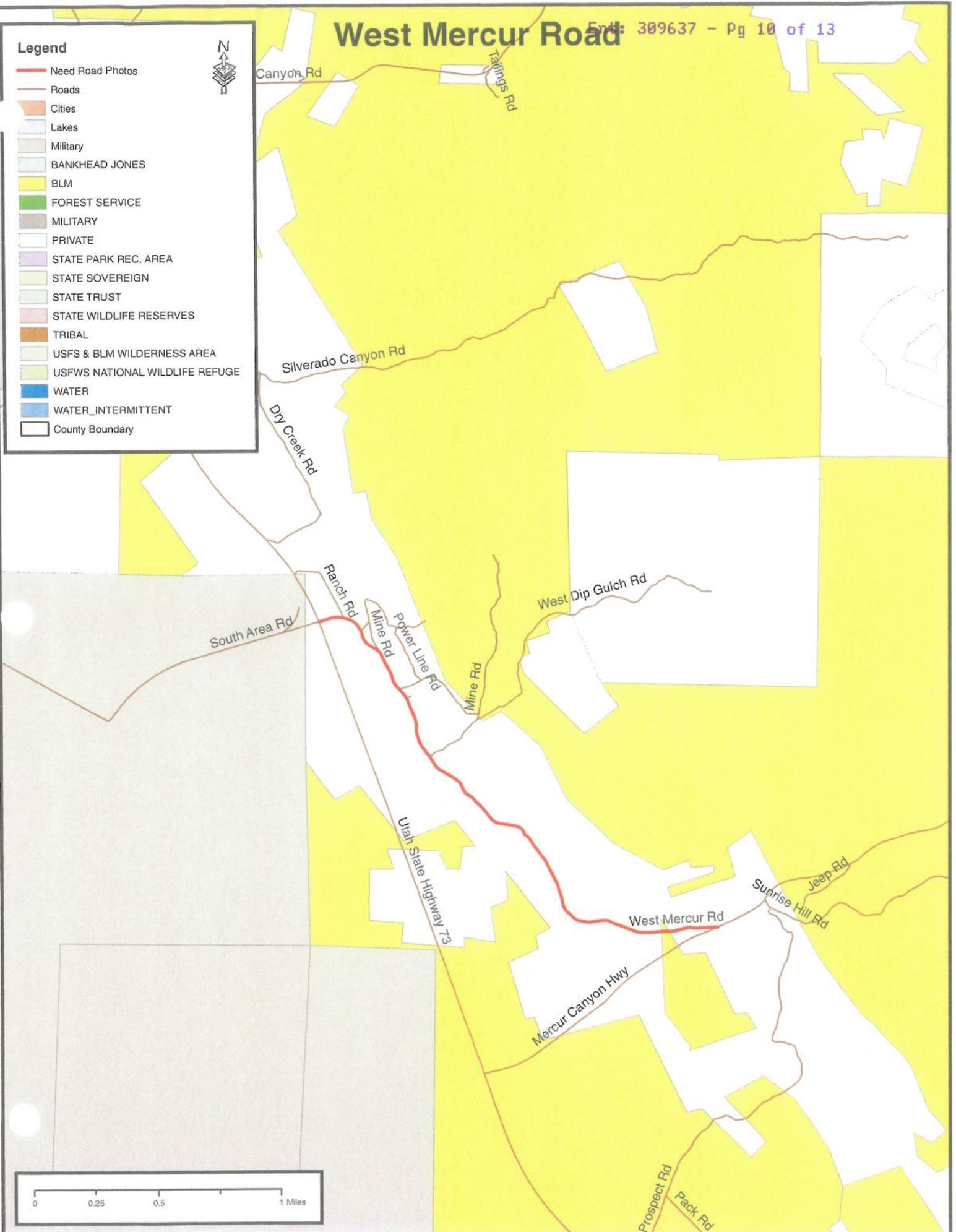


West Mercur Road

File: 309637 - Pg 10 of 13

Legend

- Need Road Photos
- Roads
- Cities
- Lakes
- Military
- BANKHEAD JONES
- BLM
- FOREST SERVICE
- MILITARY
- PRIVATE
- STATE PARK REC. AREA
- STATE SOVEREIGN
- STATE TRUST
- STATE WILDLIFE RESERVES
- TRIBAL
- USFS & BLM WILDERNESS AREA
- USFWS NATIONAL WILDLIFE REFUGE
- WATER
- WATER_INTERMITTENT
- County Boundary



AFFIDAVIT OF COLLEEN S. JOHNSON

WEST MERCUR ROAD

COUNTY ROAD NUMBER 20899

TOOELE COUNTY, UTAH

State of Utah)
 : ss.
County of Tooele)

COLLEEN S. JOHNSON, 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 have lived in Tooele County for 54 years.

2. I have traveled and am familiar with a road in Tooele County known as West Mercur 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 mid 1980s when I last observed it. Attached is a Tooele County map showing West Mercur 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. The County also identifies this road according to the road number listed above.

3. 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. Throughout this time period I have observed travel on the road by various means, including cars, trucks and jeeps. Throughout this time period, the road has been used weekly, weather permitting, for more than ten continuous years prior to 1976, and was so used in the mid 1980s.

4. Throughout the time period from the early 1960s to the mid 1980s, I have used the road myself for recreation and for travel in and through the area.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus mining, prospecting for minerals and hunting.

6. 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 to the present, for the uses described in the previous paragraphs.

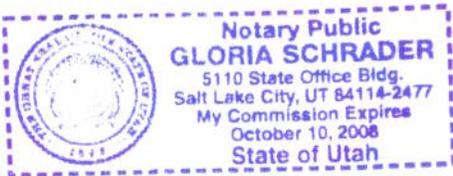
7. Prior to 1976, I observed the graded surface of the road.

Dated this 28 day of August, 2007.



COLLEEN S. JOHNSON

SUBSCRIBED AND SWORN to before me this 28th day of August, 2007.



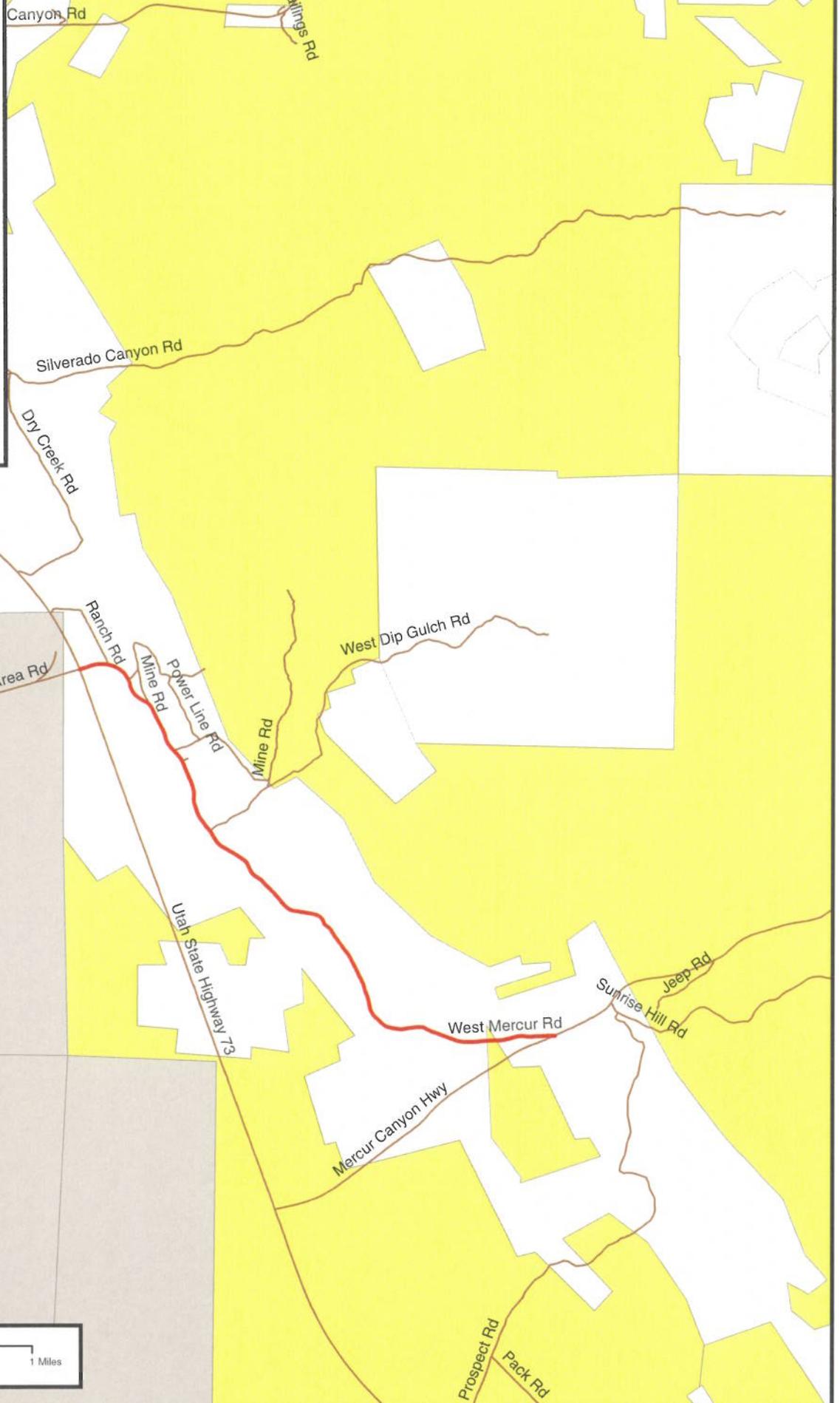


NOTARY PUBLIC

West Mercur Road: 309637 - Pg 13 of 13

Legend

- Need Road Photos
- Roads
- Cities
- Lakes
- Military
- BANKHEAD JONES
- BLM
- FOREST SERVICE
- MILITARY
- PRIVATE
- STATE PARK REC. AREA
- STATE SOVEREIGN
- STATE TRUST
- STATE WILDLIFE RESERVES
- TRIBAL
- USFS & BLM WILDERNESS AREA
- USFWS NATIONAL WILDLIFE REFUGE
- WATER
- WATER_INTERMITTENT
- County Boundary



Appendix A to Attachment 4

Popular Name: West Mercur Road

County: Tooele

County Road Number: tc20899

State Geographic Information Database (SGID) Road Identification Number: RD230152.

Road-Segment Number: 002

Road-Segment Length: 0.02 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 6 South Range 4 West, Section(s) 11, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (West Mercur 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 18 minutes 23.68 seconds North Latitude and -112 degrees 15 minutes 41.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,428,063.2 feet and Y = 7,281,303.0 feet; thence the following courses along the said road center line:

thence North 89 Degrees 40 Minutes 18 Seconds East 11.9 feet

thence North 86 Degrees 29 Minutes 30 Seconds East 29.6 feet

thence North 86 Degrees 18 Minutes 18 Seconds East 27.9 feet

thence South 86 Degrees 55 Minutes 18 Seconds East 27.6 feet

thence North 89 Degrees 40 Minutes 18 Seconds East 11.8 feet more or less to **the ending**

point at: 40 degrees 18 minutes 23.71 seconds North Latitude and -112 degrees 15 minutes 39.78 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,428,171.9 feet and Y = 7,281,305.2 feet.