

Supplement to Amended Acknowledgment and Amended 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:


This Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Amended Acknowledgment and Amended Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Beaver County known as TESIEN HIGHWAY; County Road Number: B-35; State Geographic Information Database (SGID) Road Identification Number: RD010119.

This document supplements and supports the information contained in the document first recorded at **Ent 232895, Bk 409, Beg Pg 43**, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **February 15, 2008** at **Ent 235842, Bk 418, Beg Pg 705**. A legal description is attached hereto as Exhibit B.

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 Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 27th day of June, 2008.

By the Governor's Designee

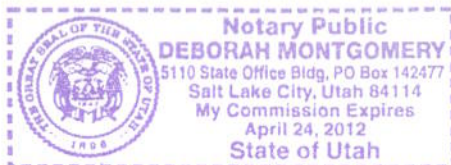

 John Harja
 Ent 237046 Bk 424 Pg 425
 Date: 02-JUL-2008 2:35PM
 Fee: None
 Filed By: CP
 BRUCE BROWN, Recorder
 BEAVER COUNTY CORPORATION
 For: STATE OF UTAH

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 27th day of June, 2008.



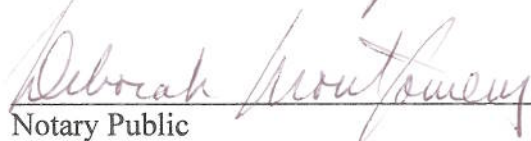

 Notary Public

Exhibit A

AFFIDAVIT OF JOHN L. RILEY
TESIAN HIGHWAY
BEAVER COUNTY, UTAH
ROAD NUMBER B-35

State of Utah)
 : ss.
County of Beaver)

JOHN L. RILEY, 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 Beaver, Beaver County, Utah. I have lived in Beaver County my entire life.

2. I have traveled and am familiar with a road in Beaver County known as Tesian Highway. I am also familiar with the land the road traverses. When I first used and observed the road in 1932, it followed the same route as in 2006 when I last observed it. Attached is a Beaver County map showing Tesian Highway. 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 1932 and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by means of semi trucks, ATVs, pickup trucks and cars. Throughout the time period from 1932 to 1976 the road was used daily and is presently used daily, weather permitting.


5. Throughout the time period from 1932 to 2006, I have used the road myself for recreation and hunting.

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 livestock operations, residential access, farming, wood gathering.

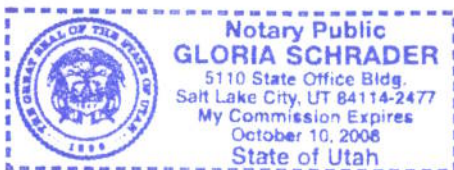
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1932 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed bulldozers from W. W. Clyde building the road and I have also observed graders performing maintenance and construction activities on the road.

DATED this 30 day of January, 2007.

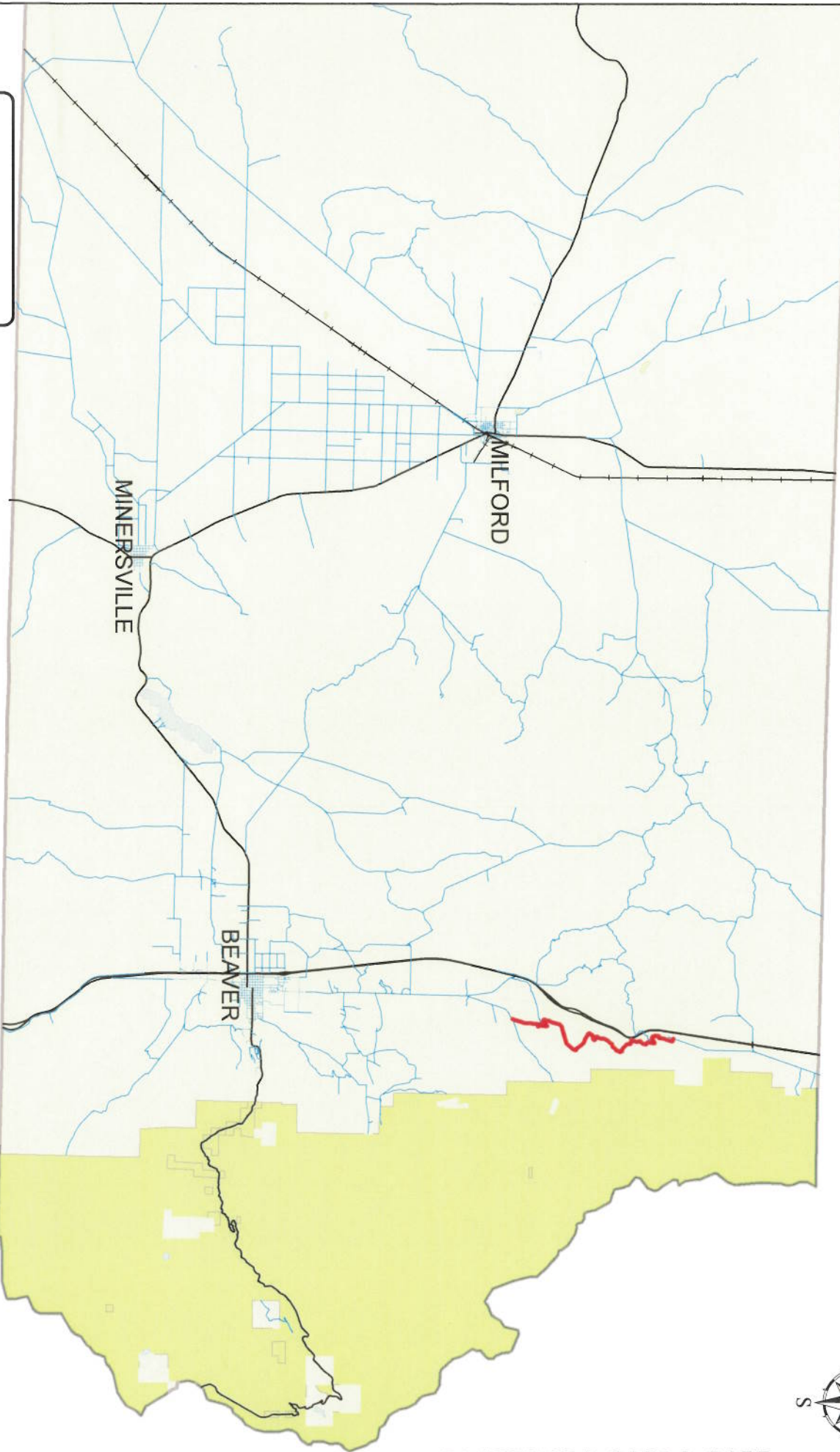

JOHN L. RILEY

SUBSCRIBED AND SWORN to before me this 30th day of January, 2007.




NOTARY PUBLIC

BEAVER COUNTY "B" ROADS



Legend

- Tesian Highway
- County B Roads
- State Highways
- UPRR

TESIAN HIGHWAY B-35



AFFIDAVIT OF BRENT G. BALDWIN

TESIAN HIGHWAY

BEAVER COUNTY, UTAH

ROAD NUMBER B-35

State of Utah)
 : ss.
County of Beaver)

BRENT G. BALDWIN, 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 Beaver, Beaver County, Utah. I have lived in Beaver County my entire life. I have been employed with the Beaver County Road Department since 1984.

2. I have traveled and am familiar with a road in Beaver County known as Tesian Highway. I am also familiar with the land the road traverses. When I first used and observed the road in 1953, it followed the same route as in 2006 when I last observed it. Attached is a Beaver County map showing Tesian Highway. 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 1953 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by means of pickup trucks, automobiles, tractors and ATVs. Throughout this time period, the road has been used daily, weather permitting.

5. Throughout the time period from 1953 to 2006, I have used the road myself for

hunting, wood gathering and prospecting for minerals.

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, livestock operations, government access, recreation and traveling in and through the area.

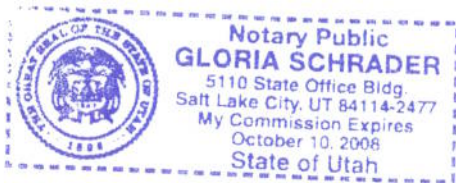
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed the graded surface of the road. In the past 20 years, I have also participated in the maintenance of this road.

DATED this 30 day of January, 2007.

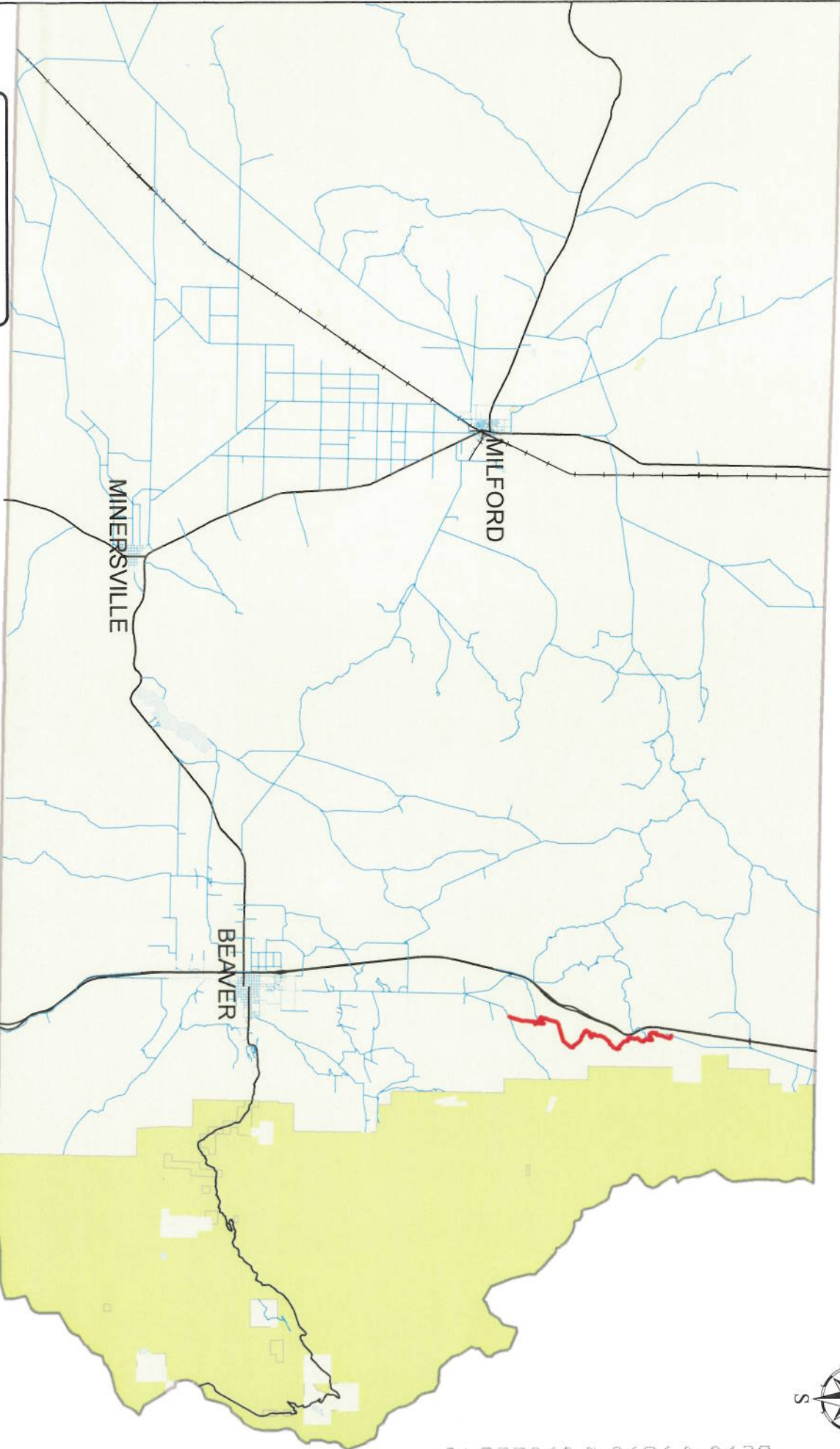

BRENT G. BALDWIN

SUBSCRIBED AND SWORN to before me this 30th day of January, 2007.




NOTARY PUBLIC

BEAVER COUNTY "B" ROADS



Legend

- Tesian Highway (Red wavy line)
- County B Roads (Blue wavy line)
- State Highways (Black line with cross-ticks)
- UPRR (Black line with cross-ticks)

TESIAN HIGHWAY B-35

MAP VIEW AREA

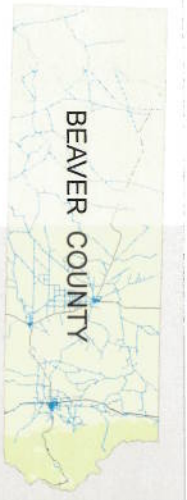


Exhibit B

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

Popular Name: TESIAN HIGHWAY

County: Beaver

County Road Number: B-35

State Geographic Information Database (SGID) Road Identification Number: RD010119.

Total Road Length: 8.84 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 24 minutes 44.32 seconds North Latitude and -112 degrees 37 minutes 025.1 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,318,449.8 feet and Y = 10,480,079.4 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 29 minutes 49.01 seconds North Latitude and -112 degrees 36 minutes 45.28 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,321,986.2 feet and Y = 10,510,863.2 feet based on the US Survey Foot conversion.

This road may traverse:

Township 27 South Range 7 West, Section(s) 2,11,14,23,26,27,34, Salt Lake Base & Meridian