

**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 NORTH BENCH CANAL ROAD; County Road Number: B-58; State Geographic Information Database (SGID) Road Identification Number: RD010143.

This document supplements and supports the information contained in the document first recorded at **Ent 232843, Bk 408, Beg Pg 606**, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **February 15, 2008** at **Ent 235863, Bk 418, Beg Pg 831**. 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 27<sup>th</sup> day of June, 2008.

By the Governor's Designee

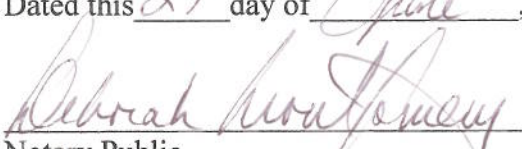
  
John Harja  
Ent 237066 Bk 424 Pg 605  
Date: 02-JUL-2008 3:12PM  
Fee: None  
Filed By: CP  
BRUCE BROWN, Recorder  
BEAVER COUNTY CORPORATION  
For: STATE OF UTAH

**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 27<sup>th</sup> day of June, 2008.  
  
Notary Public

## Exhibit A

**AFFIDAVIT OF GLENNA PUFFER**

**NORTH BENCH CANAL ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-58**

State of Utah                    )  
  : ss.  
County of Beaver                )

GLENNA PUFFER, 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 North Bench Canal Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1945, it followed the same route as in 2007 when I last observed it. Attached is a Beaver County map showing North Bench Canal 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 1945 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by means of pickup trucks, cars and ATVs. Throughout the time period from 1945 to 2007 the road has been used daily.

5. Throughout the time period from 1945 to 2007, I have used the road myself for livestock operations and traveling in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed

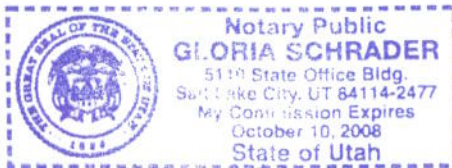
other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus utility access and accessing private property. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, 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 performing maintenance and construction activities on the road.

DATED this 30 day of January, 2007.

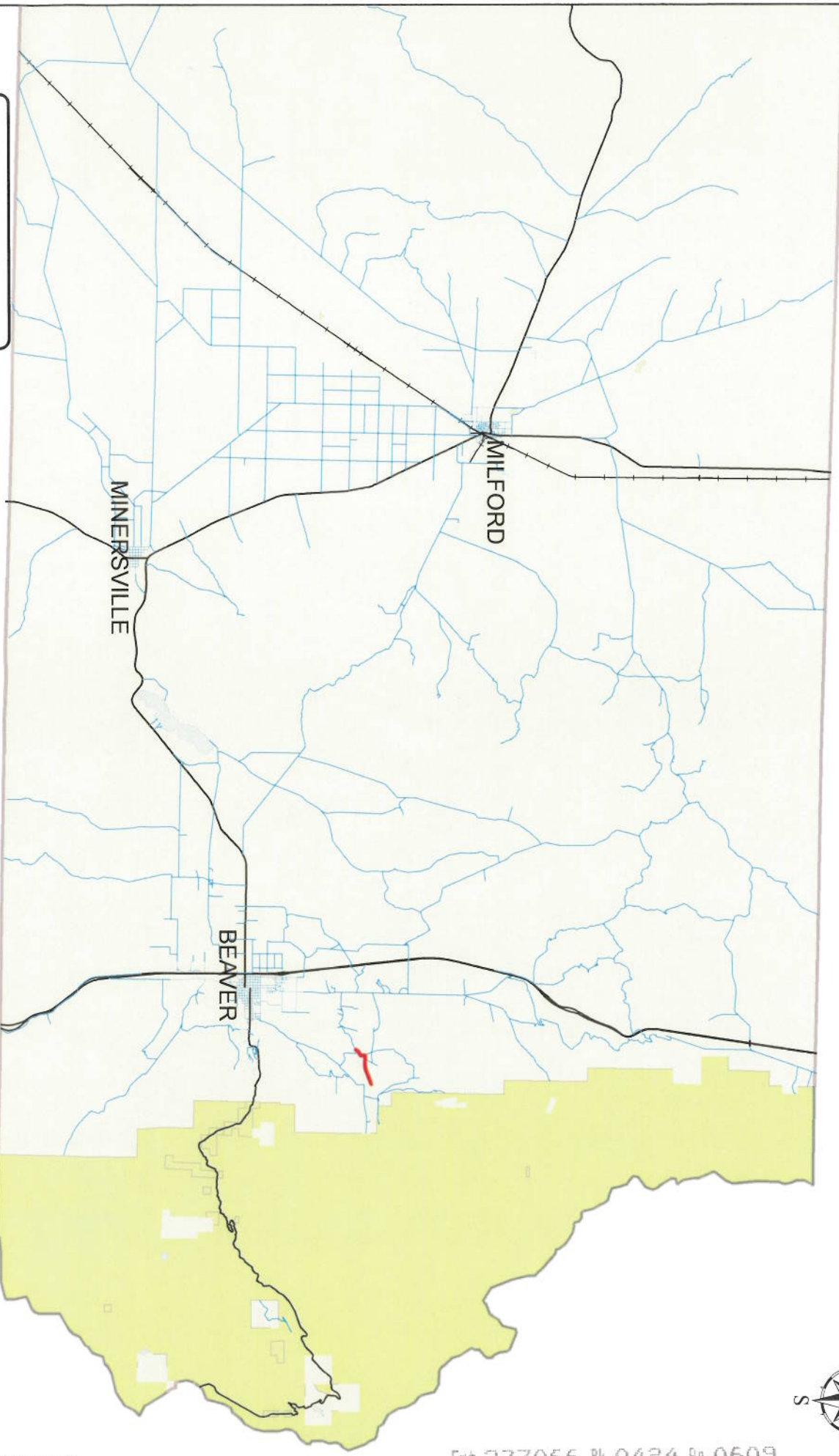
  
\_\_\_\_\_  
GLENNA PUFFER

SUBSCRIBED AND SWORN to before me this 30<sup>th</sup> day of January, 2007.



  
\_\_\_\_\_  
NOTARY PUBLIC

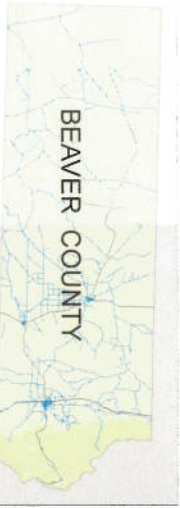
# BEAVER COUNTY "B" ROADS



**Legend**

- North Bench Canal
- County B Roads
- State Highways
- UPRR

## NORTH BENCH CANAL ROAD B-58



**AFFIDAVIT OF WENDELL GREEN**

**NORTH BENCH CANAL ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-58**

State of Utah                    )  
  : ss.  
County of Beaver                )

WENDELL GREEN, 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 North Bench Canal Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1938, it followed the same route as in 2007 when I last observed it. Attached is a Beaver County map showing North Bench Canal 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 1938 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by means of pickup trucks, cars and ATVs. Throughout the time period from 1938 to 2007 the road has been used daily.

5. Throughout the time period from 1938 to 2007, I have used the road myself for livestock operations, hunting and accessing private property.

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 recreation, farming and wood gathering.

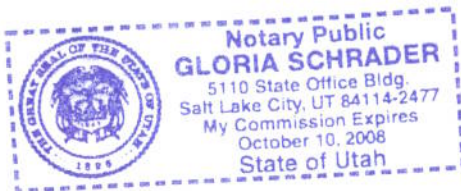
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed graders performing maintenance and construction activities on the road.

DATED this 30 day of January, 2007.

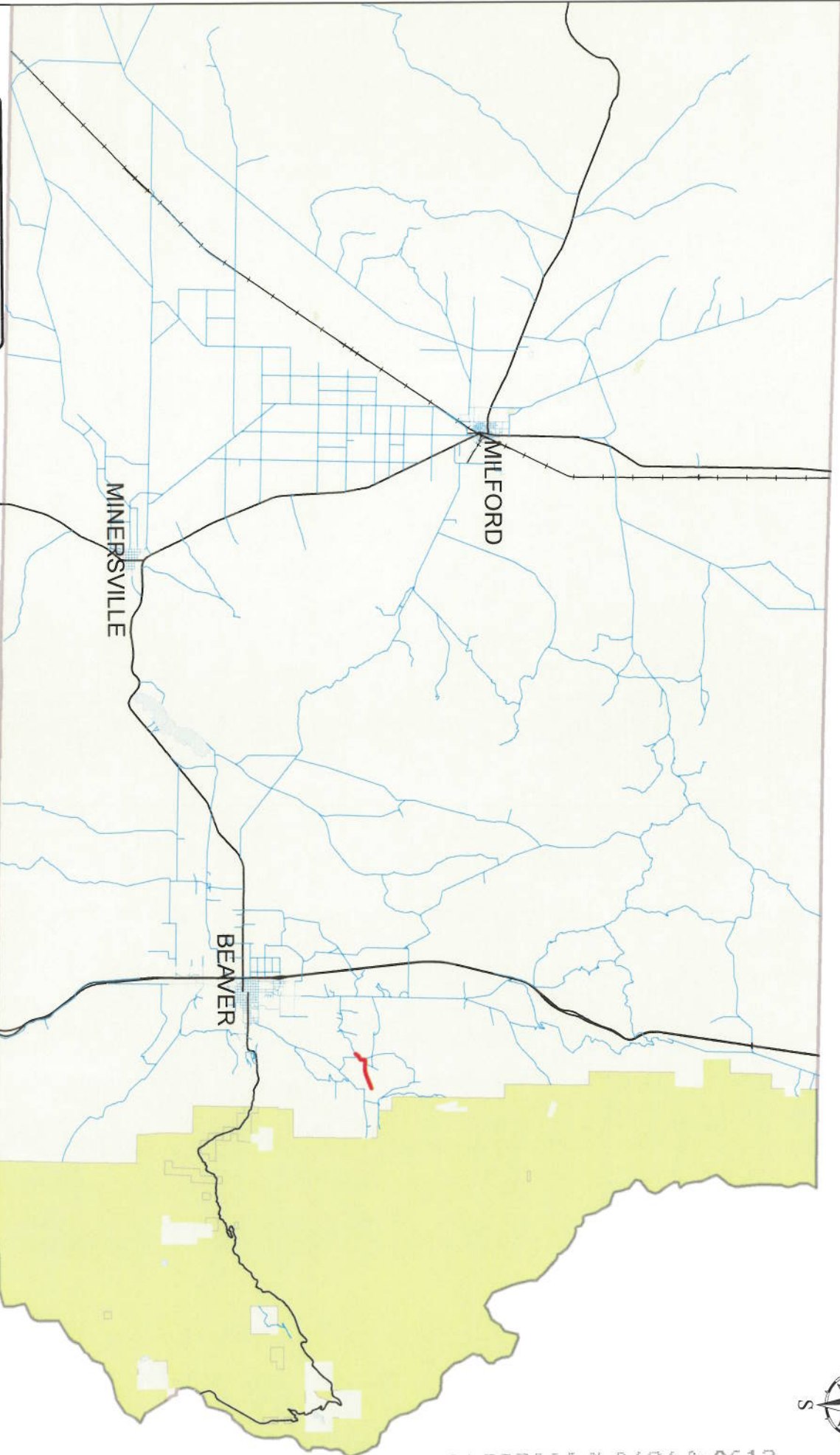
Wendell Green  
WENDELL GREEN

SUBSCRIBED AND SWORN to before me this 30<sup>th</sup> day of January, 2007.



Gloria Schrader  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS

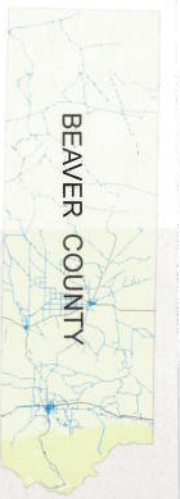


## Legend

- North Bench Canal
- County B Roads
- State Highways
- UPRR

NORTH BENCH CANAL ROAD  
B-58

MAP VIEW AREA





## Exhibit B

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

**Popular Name: NORTH BENCH CANAL ROAD**

**County: Beaver**

**County Road Number: B-58**

**State Geographic Information Database (SGID) Road Identification Number: RD010143.**

**Total Road Length: 1.51 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 19 minutes 57.62 seconds North Latitude and -112 degrees 36 minutes 04.21 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,324,546.4 feet and Y = 10,451,001.4 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 20 minutes 28.15 seconds North Latitude and -112 degrees 34 minutes 43.05 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,331,049.2 feet and Y = 10,454,014.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 28 South Range 6 West, Section(s) 30, Salt Lake Base & Meridian

Township 28 South Range 7 West, Section(s) 25,36, Salt Lake Base & Meridian