

DOC # 00354914

Affidavits B: 0602 P: 0511
Jayrene B Nielsen Sevier County Recorder Page 1 of 9
07/01/2008 09:49:27 AM Fee \$0.00 By GOVERNOR OF STATE OF UTAH

**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 Sevier County known as 229g_Dog Valley Road; County Road Number: 6001; State Geographic Information Database (SGID) Road Identification Number: RD210002.

This document supplements and supports the information contained in the document first recorded at Doc # 00344597, Bk 0560, Beg Pg 0979, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on 2/13/2008 at Doc #00352416 Bk 0591, Beg Pg 0216. 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 25th day of June, 2008.

By the Governor's Designee

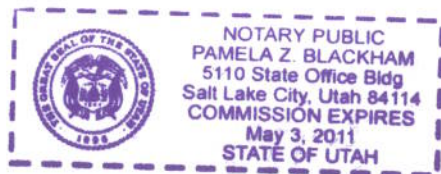

John Harja

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 25th day of June, 2008.




Notary Public

Exhibit A

DOC # 00354914

Affidavits B: 0602 P: 0512
Jayrene B Nielsen Sevier County Recorder Page 2 of 9
07/01/2008 09:49:27 AM Fee \$0.00 By GOVERNOR OF STATE O



AFFIDAVIT OF JAMES CRANE
DOG VALLEY ROAD
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6001

State of Utah)
 : ss.
County of Sevier)

JAMES CRANE, 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 Salina, Sevier County, Utah. I have lived in Sevier County since 1938.
2. I have traveled and am familiar with a road in Sevier County known as the Dog Valley Road (County Road Number 6001). I am also familiar with the land the road traverses. When I first used and observed the road in 1950, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing the Dog Valley Road (County Road Number 6001). 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 1950 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including automobiles, coal trucks, four wheelers, snowmobiles, cattle trucks, gravel trucks, and pickup trucks. Throughout the time period, since 1958 the road has been used weekly in the summer months, and 2-3 times a week in the winter months.

DOC # 00354914

Affidavits B: 0602 P: 0513
Jayrene B Nielsen Sevier County Recorder Page 3 of 9
07/01/2008 09:49:27 AM Fee \$0.00 By GOVERNOR OF STATE 0


5. Throughout the time period from 1950 to 2006, I have used the road myself for the following uses: Recreation and traveling in and through the area.

6. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: Hunting, access to the gravel pit and coal mine, prospecting, mining, commerce, recreation, search and rescue, law enforcement, land management, and traveling in and through the area.

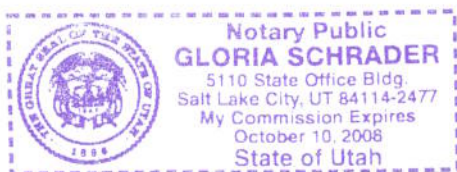
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1950 and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

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

DATED this 16 day of November, 2006.


JAMES CRANE

SUBSCRIBED AND SWORN to before me this 16th day of November, 2006.



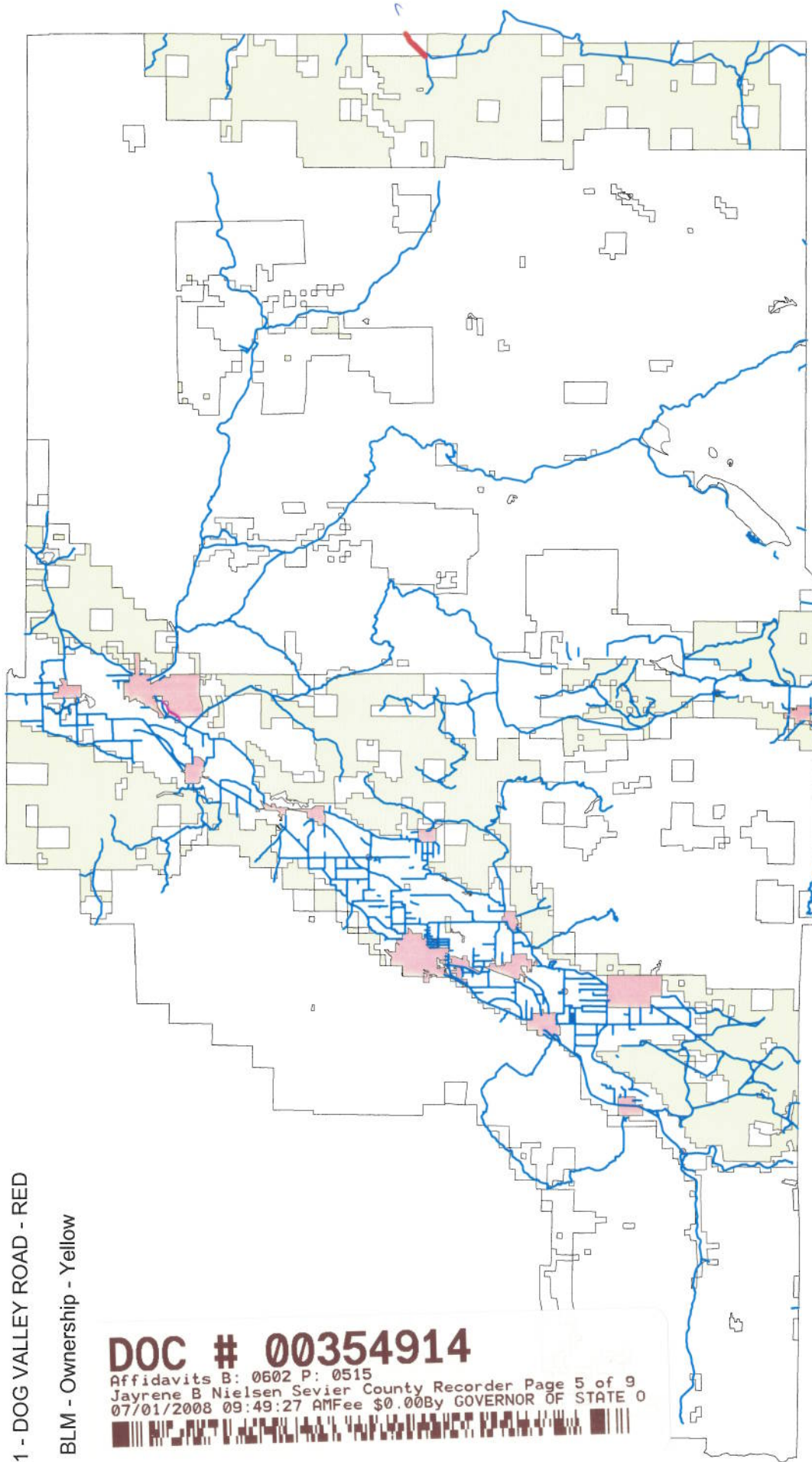

NOTARY PUBLIC

DOC # 00354914

Affidavits B: 0602 P: 0514
Jayrene B Nielsen Sevier County Recorder Page 4 of 9
07/01/2008 09:49:27 AM Fee \$0.00 By GOVERNOR OF STATE OF UTAH


SEVIER COUNTY
RS2477
October 19, 2006

Class "B" Maintained Roads - Blue
6001 - DOG VALLEY ROAD - RED
BLM - Ownership - Yellow



DOC # 00354914

Affidavits B: 0602 P: 0515
Jayrene B Nielsen Sevier County Recorder Page 5 of 9
07/01/2008 09:49:27 AM Fee \$0.00 By GOVERNOR OF STATE 0



**AFFIDAVIT OF MORRIS SORENSEN
DOG VALLEY ROAD
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6001**

State of Utah)
 : ss.
County of Emery)

MORRIS SORENSEN, 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 Emery in Emery County, Utah. I have lived in Emery County from 1945 until 1969. In 1969 I left the area and went to school until 1975 when I returned and I am still living there at this present time. I am currently employed by the Emery County Road Department and have been since 1984.

2. I have traveled and am familiar with a road in Sevier County known as the Dog Valley Road (County Road Number 6001). I am also familiar with the land the road traverses. When I first used and observed the road in the 1950's, it followed the same route as in 2006 when I last observed it. I cannot attest to the condition and usage of the road from 1969 to 1975, because I was away attending school. Attached is a Sevier County map showing the Dog Valley Road (County Road Number 6001). 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 1950's and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including all types of vehicles. In the early days the Dog Valley Mine was an active mine, and there was all sorts of

DOC # 00354914

Affidavits B: 0602 P: 0516
Jayrene B Nielsen Sevier County Recorder Page 6 of 9
07/01/2008 09:49:27 AM Fee \$0.00 By GOVERNOR OF STATE OF UTAH


traffic on that road including coal trucks that hauled coal out of that mine, pickups, automobiles, wagons, horses and seismic work equipment. Throughout this time period, the road has been used daily.

5. Throughout the time period from the 1950's to 2006, I have used the road myself for hunting, wood gathering, and coal hauling. When I was 12 or 14 years old, I rode with my Dad, and we hauled a little coal out of there.

6. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: livestock operations, access to the Dog Valley Mine, coal trucks, miners, and all types of vehicles for hunting i.e. recreation.

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 1930's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed the graded surface of the road and culverts, dug ways and signs.

DATED this 21st day of November, 2006.

Morris Sorensen
MORRIS SORENSSEN

SUBSCRIBED AND SWORN to before me this 21st day of November, 2006.

Carol A. Cox
NOTARY PUBLIC

DOC # 00354914

Affidavits B: 0602 P: 0517
Jayrene B Nielsen Sevier County Recorder Page 7 of 9
07/01/2008 09:49:27 AM Fee \$0.00 By GOVERNOR OF STATE 0



SEVIER COUNTY
RS2477
October 19, 2006

DOC # 00354914

Affidavits B: 0602 P: 0518
Jayrene B Nielsen Sevier County Recorder Page 8 of 9
07/01/2008 09:49:27 AM Fee \$0.00 By GOVERNOR OF STATE 0



Class "B" Maintained Roads - Blue
6001 - DOG VALLEY ROAD - RED
BLM - Ownership - Yellow

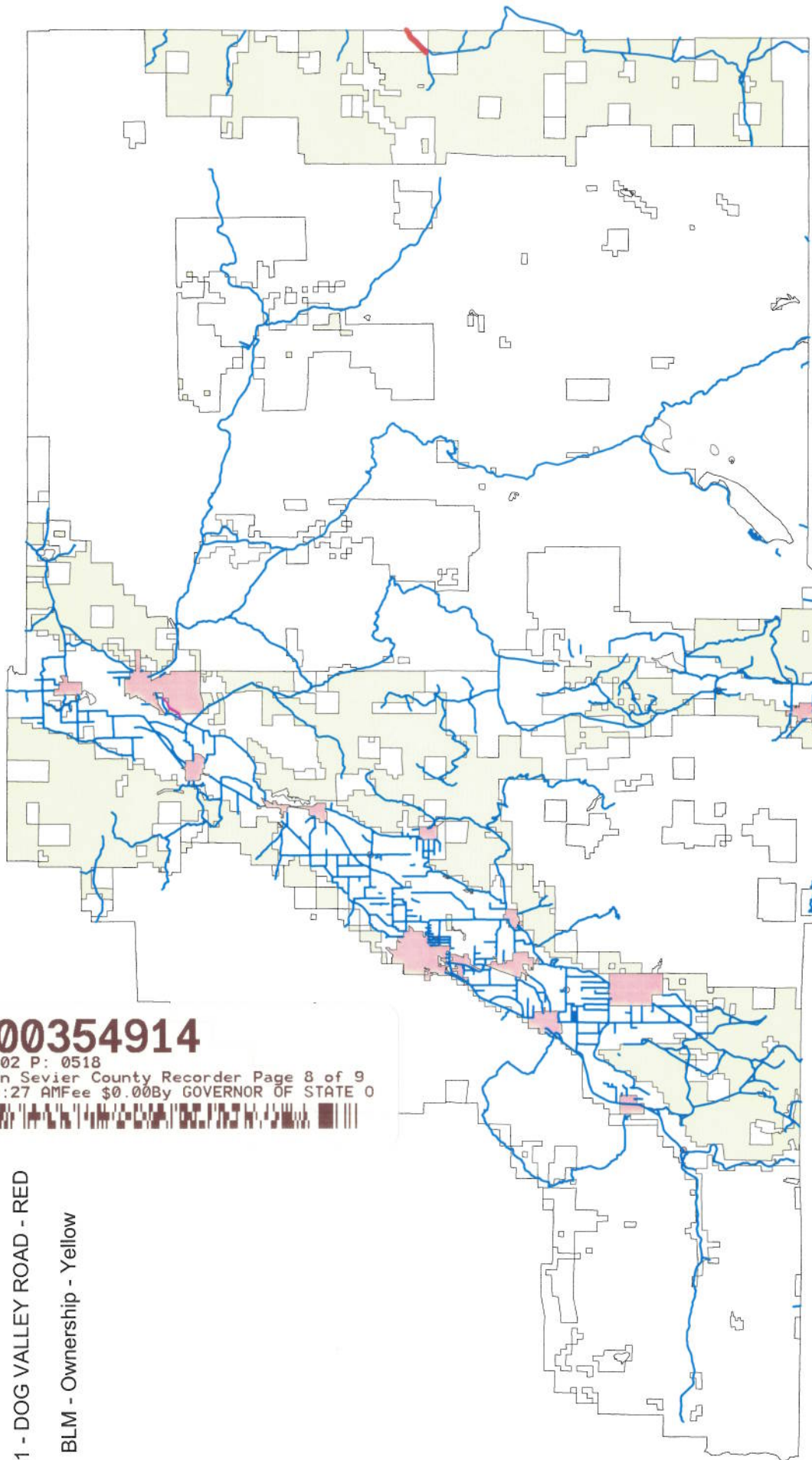


Exhibit B

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

Popular Name: 229g_Dog Valley Road

County: Sevier

County Road Number: 6001

State Geographic Information Database (SGID) Road Identification Number: RD210002.

Total Road Length: 1.41 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 45 minutes 55.05 seconds North Latitude and -111 degrees 19 minutes 03.71 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,692,402.6 feet and Y = 6,719,060.8 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 46 minutes 43.17 seconds North Latitude and -111 degrees 17 minutes 54.39 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,697,882.6 feet and Y = 6,723,940.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 23 South Range 5 East, Section(s) 25,35,36, Salt Lake Base & Meridian
Township 23 South Range 6 East, Section(s) 30, Salt Lake Base & Meridian

DOC # 00354914

Affidavits B: 0602 P: 0519
Jayrene B Nielsen Sevier County Recorder Page 9 of 9
07/01/2008 09:49:27 AM Fee \$0.00 By GOVERNOR OF STATE 0
