

DOC # 00354933

Affidavits B: 0602 P: 0691
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07/01/2008 10:16:51 AM Fee \$0.00 By GOVERNOR OF THE STA


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 1031d_Powerline/Durfees Road; County Road Number: 6103; State Geographic Information Database (SGID) Road Identification Number: RD210042.

This document supplements and supports the information contained in the document first recorded at **Doc # 00344637, Bk 0561, Beg Pg 0217**, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **2/13/2008** at **Doc #00352454 Bk 0591, Beg Pg 0444**. 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

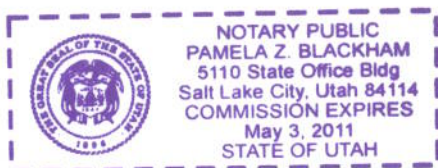


John Harja


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

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**AFFIDAVIT OF JERALD OLDROYD
POWERLINE / DURFEES ROAD
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6103**

State of Utah)
 : ss.
County of Sevier)

JERALD OLDROYD, 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 Glenwood, Sevier County, Utah. I have lived in Sevier County since 1933.
2. I have traveled and am familiar with a road in Sevier County known as the Powerline/Durfees Road. 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 2005 when I last observed it. Attached is a Sevier County map showing the Powerline/Durfees 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 identifier 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 2005. During this time period I have observed travel on the road by various means, including automobiles, campers, pickups, jeeps, and four wheelers. During this time period, the road has been used daily.
5. During the time period from 1950 to 2005, I have used the road myself for the following uses: Hunting, recreation, touring, and taking pictures.
6. During 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:

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Oil and gas exploration, government access, wood gathering, livestock operations, tourism, recreation, hunting, fishing, accessing Cove Mountain and Lost Creek, 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 1900's and continuing through 1976 to 2005, for the uses described in the previous paragraphs.

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

DATED this 15 day of November, 2006.


JERALD OLDROYD

SUBSCRIBED AND SWORN to before me this 15th day of November, 2006.


NOTARY PUBLIC

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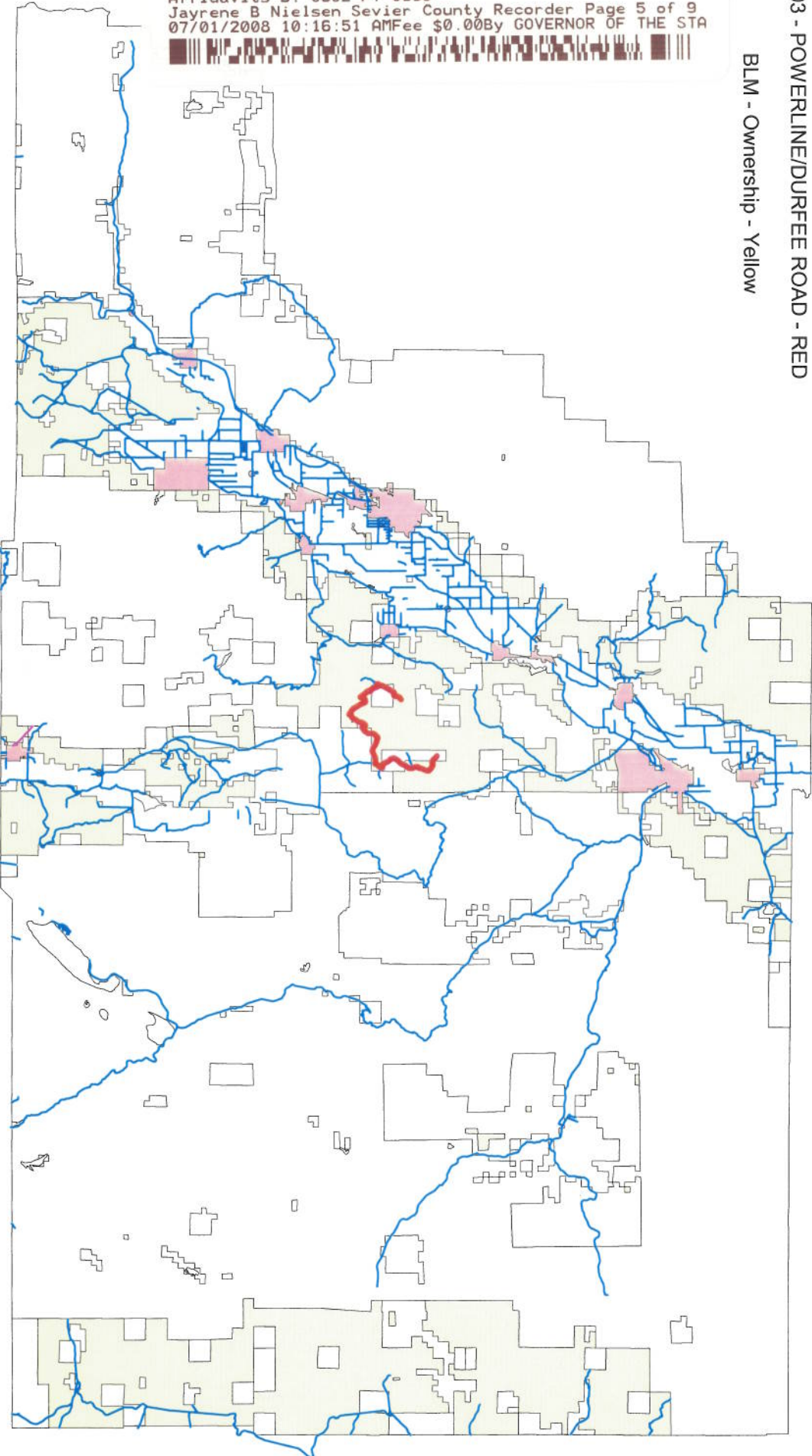
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Class "B" Maintained Roads - Blue
6103 - POWERLINE/DURFEE ROAD - RED

BLM - Ownership - Yellow



SEVIER COUNTY
RS2477
October 19, 2006

AFFIDAVIT OF JOHN WARNER

POWERLINE / DURFEES ROAD

SEVIER COUNTY, UTAH

COUNTY ROAD NUMBER 6103

State of Utah)
 : ss.
County of Sevier)

JOHN WARNER, 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 Glenwood, Sevier County, Utah. I have lived in Sevier County since 1925.
2. I have traveled and am familiar with a road in Sevier County known as the Powerline/Durfees Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1930, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing the Powerline/Durfees 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 1930 and continuing through 1976 to 2006. During this time period I have observed travel on the road by various means, including automobiles, pickups, horses, and four wheelers. During this time period, the road has been used daily.
5. During the time period from 1930 to 2006, I have used the road myself for the following uses: Hunting, fishing, recreation, and harvesting Christmas trees.
6. During 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:

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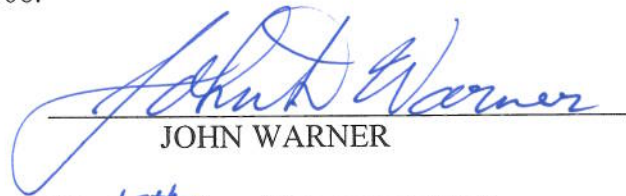


Government access, wood gathering, livestock operations, tourism, recreation, hunting, access to Rex's Reservoir and private cabins, and traveling in and through the area.

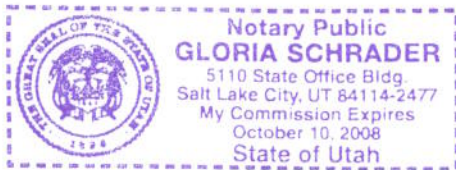
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900's and continuing through 1976 to 2006 for the uses described in the previous paragraphs.

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

DATED this 15 day of November, 2006.


JOHN WARNER

SUBSCRIBED AND SWORN to before me this 15th day of November, 2006.




NOTARY PUBLIC

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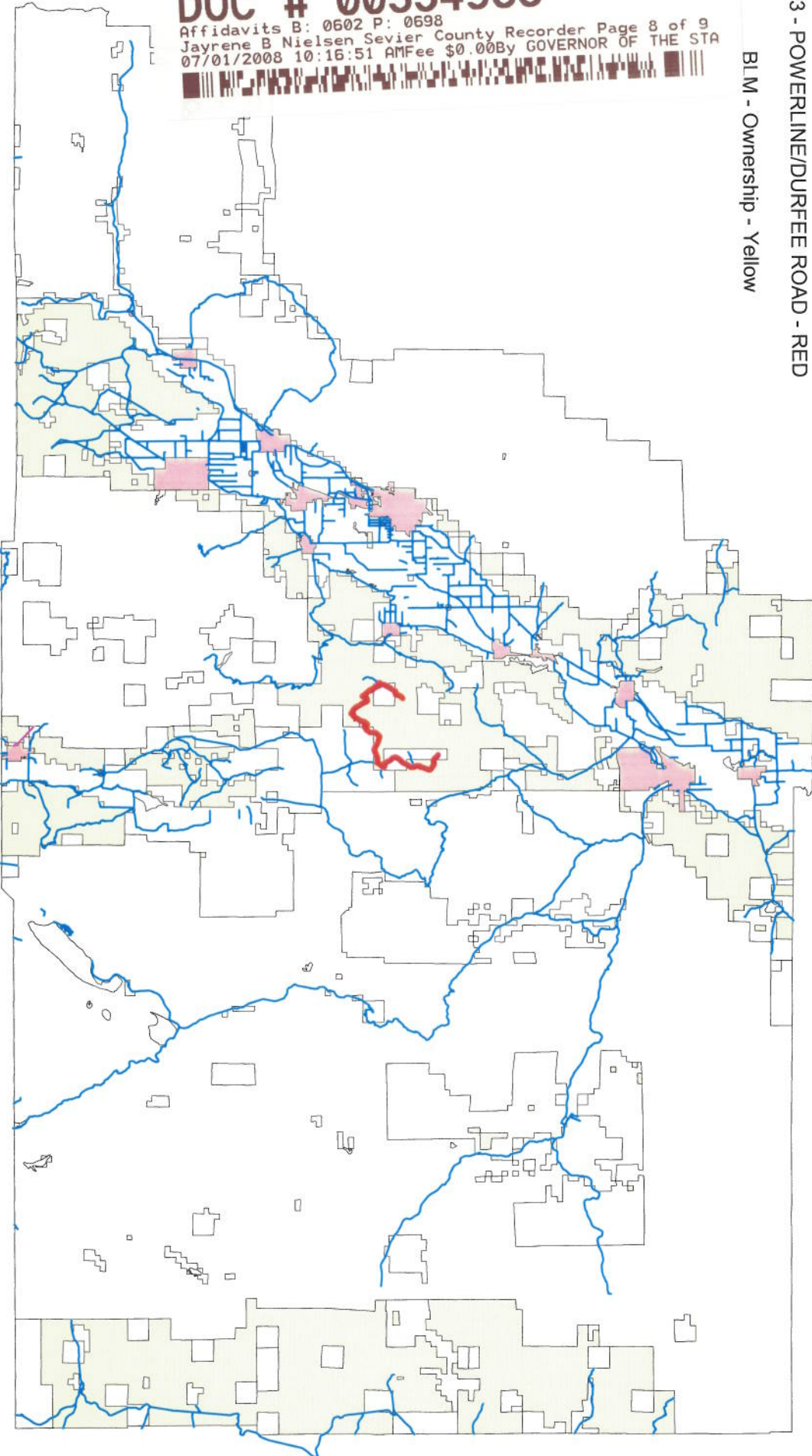
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BLM - Ownership - Yellow

6103 - POWERLINE/DURFEE ROAD - RED

Class "B" Maintained Roads - Blue



SEVIER COUNTY

RS2477

October 19, 2006

Exhibit B

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

Popular Name: 1031d_Powerline/Durfees Road

County: Sevier

County Road Number: 6103

State Geographic Information Database (SGID) Road Identification Number: RD210042.

Total Road Length: 11.5 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 46 minutes 014.5 seconds North Latitude and -111 degrees 55 minutes 42.81 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,518,217.1 feet and Y = 6,721,268.3 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 47 minutes 41.22 seconds North Latitude and -111 degrees 52 minutes 49.81 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,531,956.7 feet and Y = 6,729,979.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 23 South Range 1 West, Section(s) 14,23,26,29,31,32,34,35, Salt Lake Base & Meridian
Township 24 South Range 1 West, Section(s) 3,4,5,8,9, Salt Lake Base & Meridian

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