

Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant

DOC # 00354950

Affidavits B: 0602 P: 0847
Jayrene B Nielsen Sevier County Recorder Page 1 of 12
07/01/2008 10:48:49 AM Fee \$0.00 By GOVERNOR OF STATE O

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 48p_Sage Flat Road; County Road Number: 6107; State Geographic Information Database (SGID) Road Identification Number: RD210046.

This document supplements and supports the information contained in the document first recorded at **Doc # 00344642, Bk 0561, Beg Pg 0247**, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **2/13/2008** at **Doc #00352458 Bk 0591, Beg Pg 0468**. 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

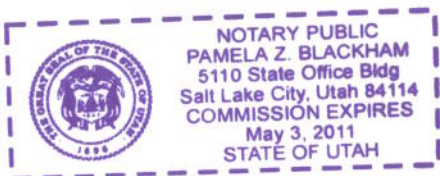


John Harja

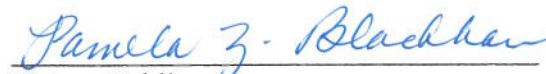
CERTIFICATION

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 IVAN COWLEY
SAGE FLAT ROAD
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6107**

State of Utah)
 : ss.
County of Sevier)

IVAN COWLEY, 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 Venice, Sevier County, Utah. I have lived in Sevier County since the 1930's.
2. I have traveled and am familiar with a road in Sevier County known as the Sage Flat Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1940, it followed the same route as in September 2006 when I last observed it. I remember this road, because I lived in the area as a kid in 1940. The width of the road has always been approximately 30 feet and the road was well established as of 1940. Even in the narrower places, there is room for two cars to pass each other. Attached is a Sevier County map showing Sage Flat 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 1940 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including horseback, horse-drawn wagon, automobile and truck. Throughout this time period, the road has been used daily.
5. Throughout the time period from 1940 to 2006, I have used the road myself for the following uses: When I was a kid, I went with my dad quite a few times in his model A Ford and

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trailer and hauled wood down this road. Later we took our cattle up this road. We even trailed them up it when the county made the new oiled road and I got cussed out because the oil was wet.

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: Mining, oil and gas development, mail delivery, government access, farming, tourism, prospecting for hauling wood, livestock, fishing, hunting, access to a dump, recreation, and simply traveling from point A to point B.

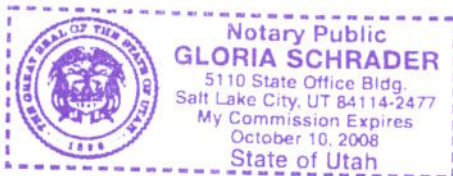
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1940 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, Construction and maintenance of the road before 1976 were performed by Sevier County using road graders and other road equipment. I know this because I personally observed graders, caterpillars, and dump trucks on the road. By way of further particulars regarding this road, there are borrow pits on each side to facilitate maintenance and drainage, and the road is kept in super good shape. The road continues to be regularly maintained by the county.

DATED this 15 day of November, 2006.


IVAN COWLEY

SUBSCRIBED AND SWORN to before me this 18th day of November, 2006.




NOTARY PUBLIC

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SEVIER COUNTY
RS2477
October 19, 2006

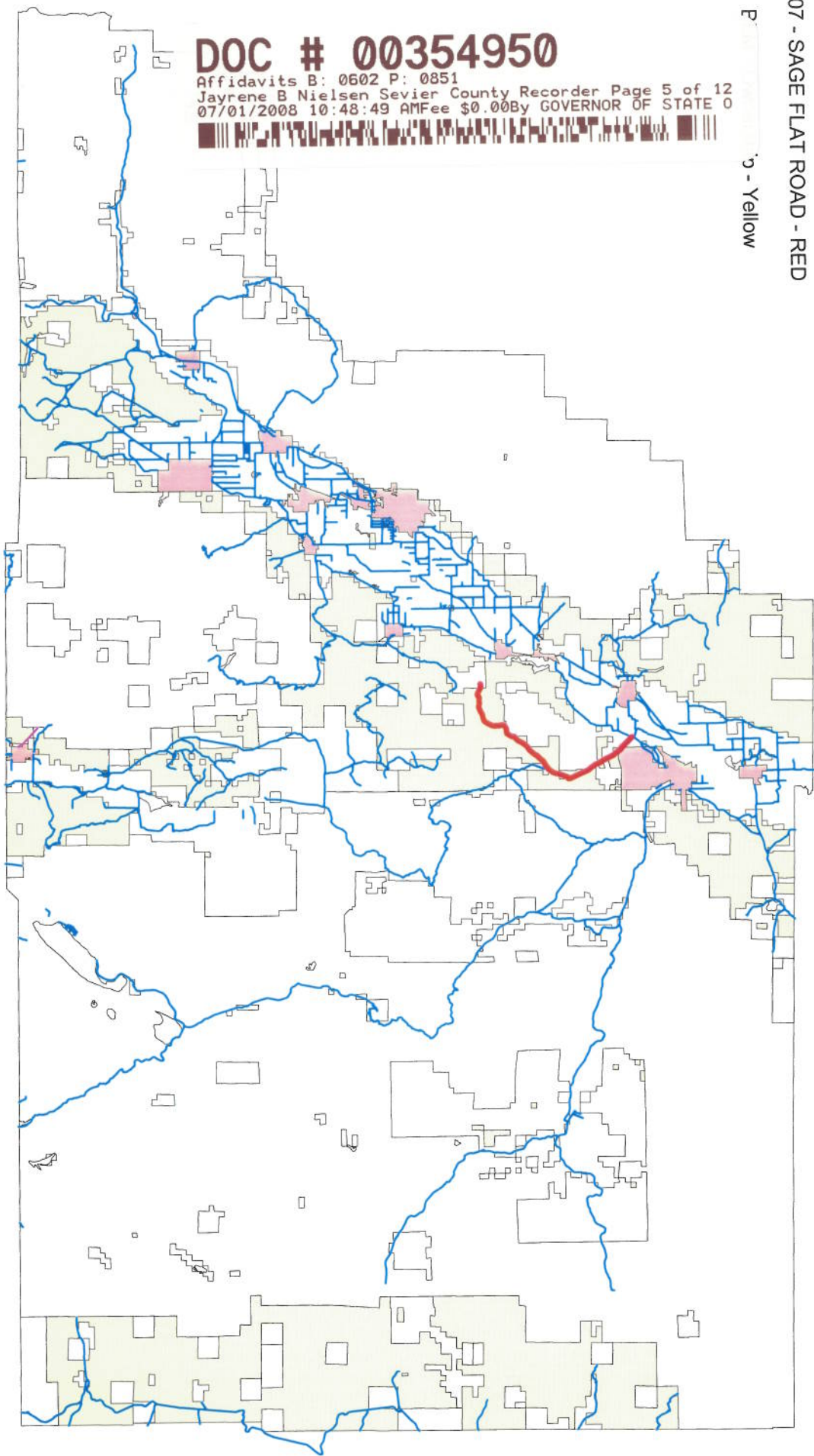
Class "B" Maintained Roads - Blue

6107 - SAGE FLAT ROAD - RED

P 0 - Yellow

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AFFIDAVIT OF CHAD BEACH
SAGE FLAT ROAD
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6107

State of Utah)
 : ss.
County of Sevier)

CHAD BEACH, 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 City, Sevier County, Utah. I have lived in Sevier County for 61 years.
2. I have traveled and am familiar with a road in Sevier County known as the Sage Flat Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1957, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing the Sage Flat 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 1957 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including motorcycles, ATV's, pickup trucks, and horses. Throughout this time period, the road has been used weekly.
5. Throughout the time period from 1957 to 2006, I have used the road myself for the following uses: check waterlines in Salina. hunting. and fishing.

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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, oil and gas exploration, wood gathering, and access to Rex Reservoir.

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 1920's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed graders and backhoes performing maintenance/construction activities on the road. The road is graveled with signs t.

DATED this 15 day of November, 2006.


CHAD BEACH

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




NOTARY PUBLIC

THIS IS NOT A CLEAR NOTARY SEAL

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SEVIER COUNTY
RS2477
October 19, 2006

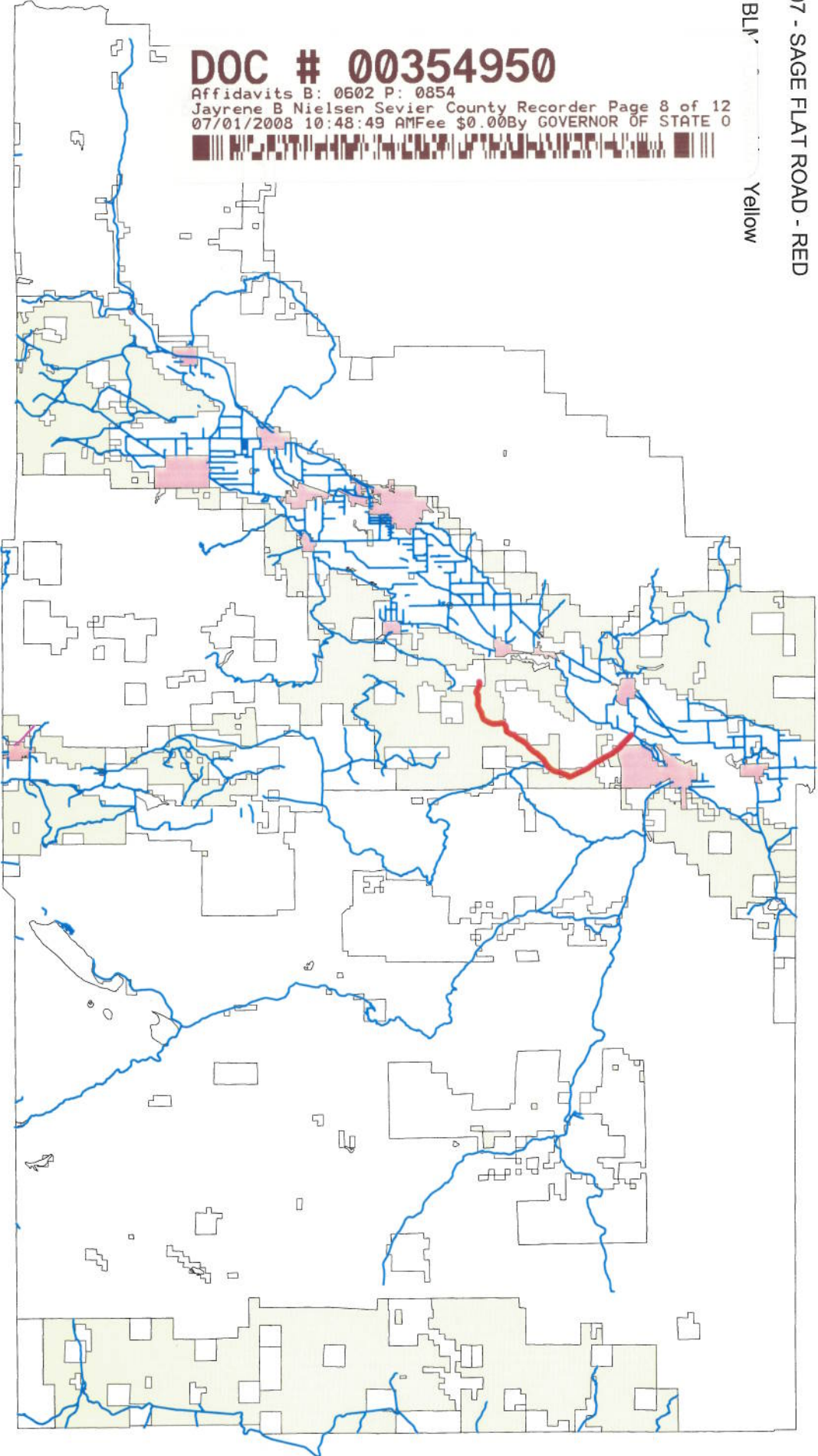
Class "B" Maintained Roads - Blue

6107 - SAGE FLAT ROAD - RED

BLN Yellow

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Affidavits B: 0602 P: 0854
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AFFIDAVIT OF PHIL BARNEY
SAGE FLAT ROAD
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6107

State of Utah)
 : ss.
County of Sevier)

PHIL BARNEY, 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 City in Sevier County, Utah. I was born in Sevier County in 1942 leaving in 1967 for another work opportunity and returning to Sevier County in 1977. I have worked in Law Enforcement in Sevier County since 1977 and am presently the Sevier County Sheriff. Work related activities both for Law Enforcement and Search and Rescue has given me first hand knowledge of the majority of the roads in this county.
2. I have traveled and am familiar with a road in Sevier County known as the Sage Flat Road (County Road Number 6107). I am also familiar with the land the road traverses. When I first used and observed the road in 1959, it followed the same route as 2006 when I last observed it. Attached is a Sevier County map showing Sage Flat Road (County Road Number 6107). 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 1959 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including automobiles, pickups, horseback, ATV's, trailers, sheep wagon and motorcycles. Throughout this time period, the road has been used weekly.

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5. Throughout the time period from 1959 to 2006, I have used the road myself for work related sheriff's activities and investigations, search and rescue, wood gathering and hunting.

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: camping, picnicking, hiking, and sight-seeing, livestock operations, mining, oil and gas exploration and traveling to and from 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 1930's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

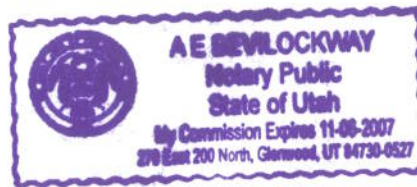
8. Prior to 1976, I observed signs, berms, culverts, and gravel on the road as well as graders performing maintenance/construction activities on the road.

DATED this 14 day of November, 2006.

Phil Barney
PHIL BARNEY

SUBSCRIBED AND SWORN to before me this 14th day of November, 2006.

A E Bevilockway
NOTARY PUBLIC



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SEVIER COUNTY

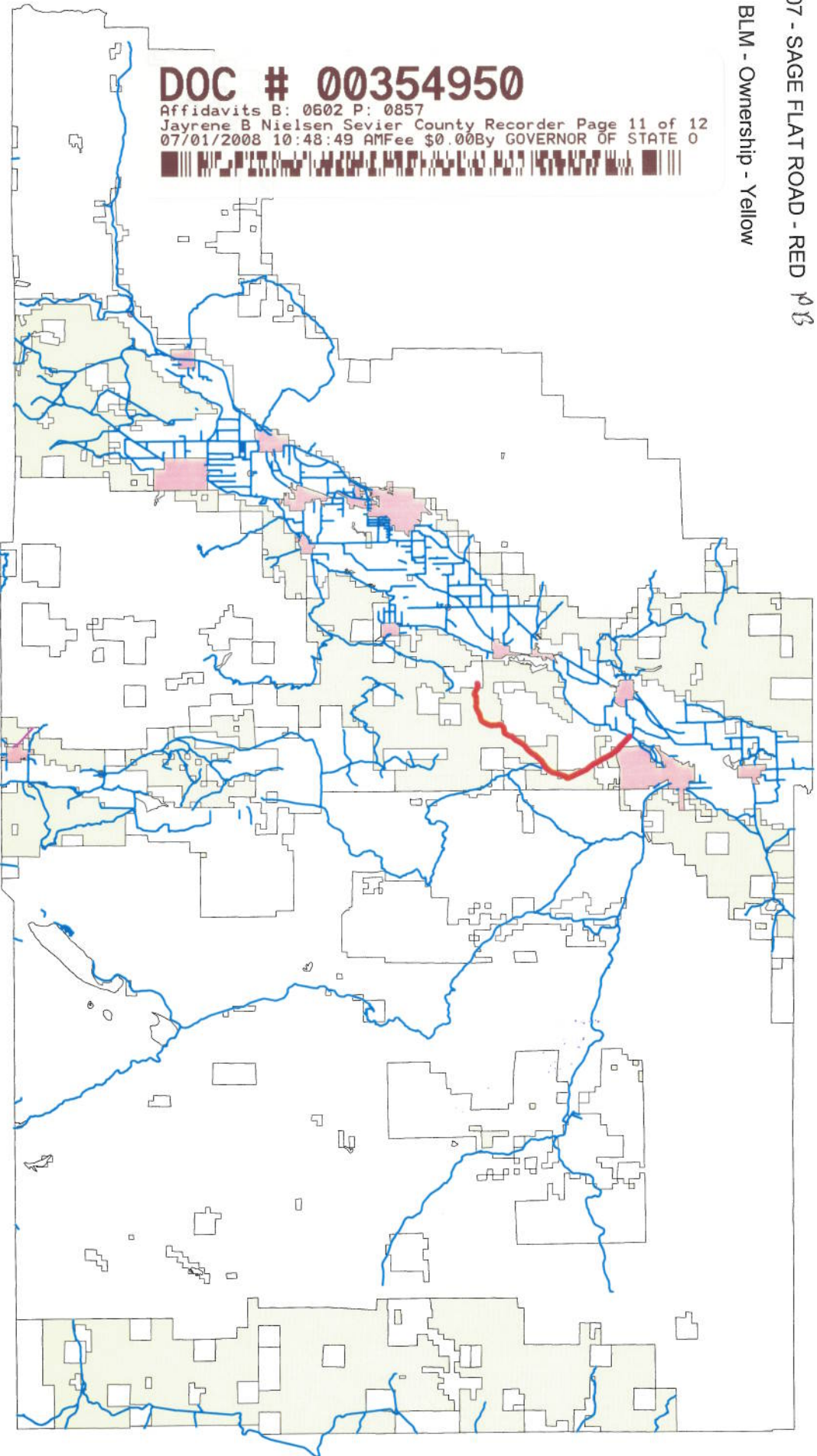
RS2477

October 19, 2006

Class "B" Maintained Roads - Blue

6107 - SAGE FLAT ROAD - RED

BLM - Ownership - Yellow



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Exhibit B

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

Popular Name: 48p_Sage Flat Road

County: Sevier

County Road Number: 6107

State Geographic Information Database (SGID) Road Identification Number: RD210046.

Total Road Length: 10.56 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 49 minutes 016.2 seconds North Latitude and -111 degrees 56 minutes 28.46 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,514,691.9 feet and Y = 6,739,669.3 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 55 minutes 23.42 seconds North Latitude and -111 degrees 53 minutes 044.1 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,527,865.7 feet and Y = 6,776,761.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 22 South Range 1 West, Section(s) 2,3,11,13,14,23,24,26,27,34, Salt Lake Base & Meridian
Township 23 South Range 1 West, Section(s) 3,4,8,9, Salt Lake Base & Meridian

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