

Entry 2008005768
Book 1095 Page 1-9 \$0.00
12-JUN-08 09:15
RANDY SIMMONS
RECORDER, UINTAH COUNTY, UTAH
GOVERNOR OF THE STATE OF UTAH
STATE CAPITOL COMPLEX E220 PO BOX 14220
Rec By: HEATHER HOLMES , DEPUTY

**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:

Entry 2008005768
Book 1095 Page 1


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 Uintah County known as Bitter Creek Road; County Road Number: 4120; State Geographic Information Database (SGID) Road Identification Number: RD240506.

This document supplements and supports the information contained in the document first recorded at **Ent 2006012462, Bk 1006, Beg Pg 870**, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **12/27/2007 at Ent 2007014358, Bk 1068, Beg Pg 898**. 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 6th day of June, 2008.

By the Governor's Designee

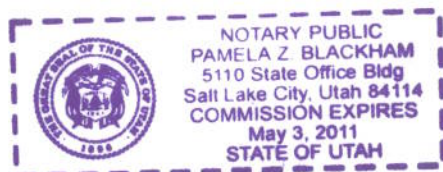


John Harja

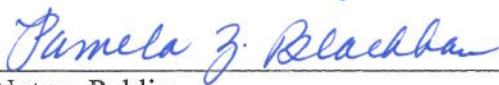
CERTIFICATION

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 6th day of June, 2008.



Notary Public

Exhibit A

AFFIDAVIT OF ARDEN W. STEWART

BITTER CREEK ROAD

UINTAH COUNTY, UTAH

COUNTY ROAD NUMBER 4120

State of Utah)
 : ss
County of Uintah)

ARDEN W. STEWART, 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 Uintah County, Utah. I have lived in Uintah County 74 years.
2. I have traveled and am familiar with a road in Uintah County known as the Bitter Creek Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1948, it followed the same route as in 2006 when I last observed it. Attached is a Uintah County map showing Bitter Creek 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 identifies this road according to the road number described 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 1948 and continuing through 2006. During this time period I have observed travel on the road by various means, including OHVs, pickups and horses. During this time period, the road has been used daily.

5. During the time period from 1948 to 2006, I have used the road myself for livestock operations, hunting, recreation and traveling through the area.

6. During the time period described in the previous paragraph, I observed vehicles using the road at various times for oil and gas exploration or development, farming, livestock operations, wood gathering, hunting, government access, recreation, predator control 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 1948 and continuing through 2006, for the uses described in the previous paragraphs.

8. I observed the following evidence of construction and maintenance performed on the road prior to 1976: I personally observed equipment maintaining the road from the 1948 to 2006.

Dated this 17 day of October, 2006.


ARDEN W. STEWART

SUBSCRIBED AND SWORN TO before me this 17 day of October, 2006.



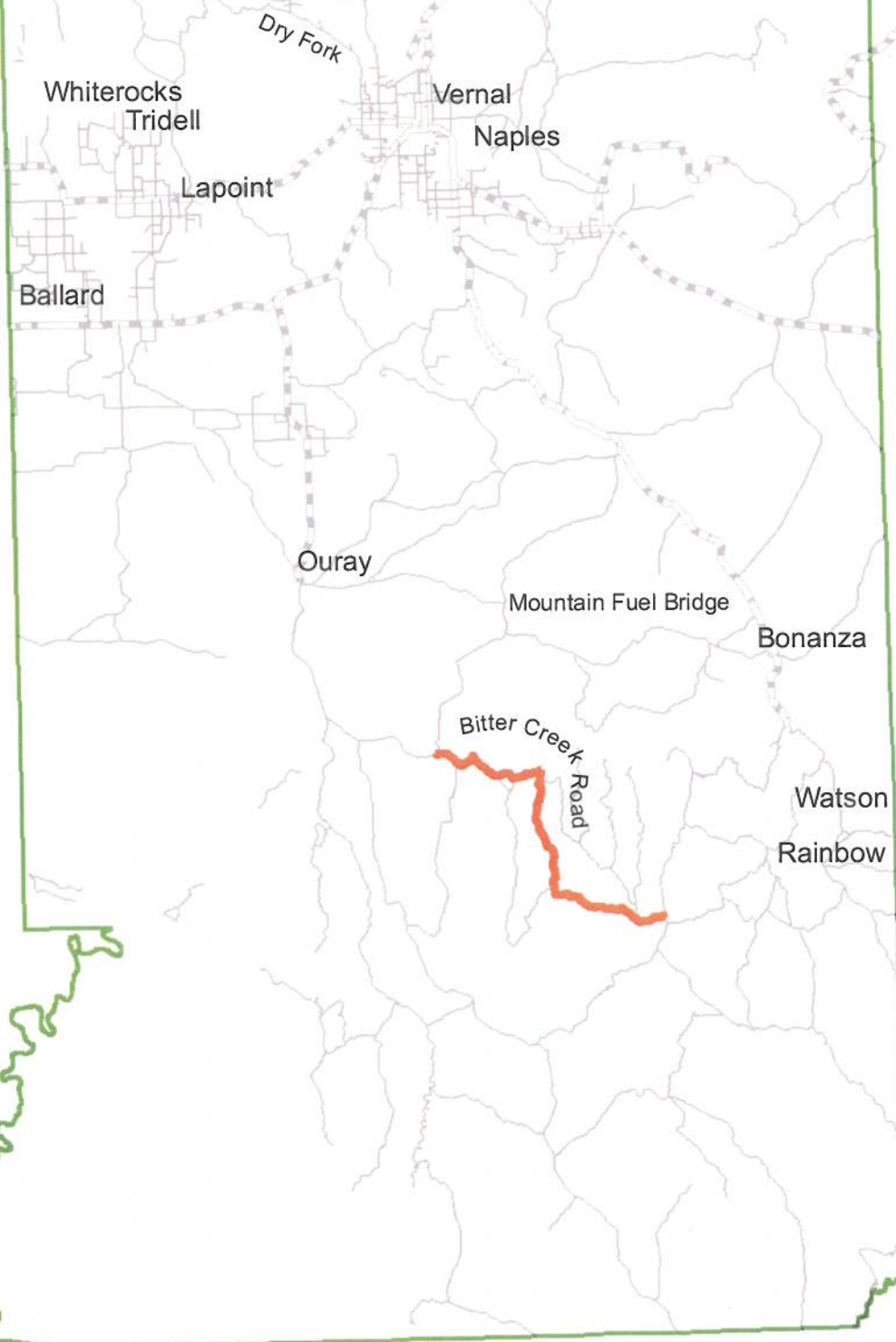

Notary Public

UINTAH COUNTY

Entry 2008005768
Book 1095 Page 5

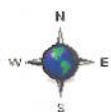


Bitter Creek Road
Road # 4120
RD240506



Legend

- Bitter Creek Road
- Roads**
- Class B Roads
- Federal or State
- Uintah County



Uintah County



BITTER CREEK ROAD

UINTAH COUNTY, UTAH

COUNTY ROAD NUMBER 4120

State of Utah)
 : ss
County of Uintah)

J. CHARLES BREWER, 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 Uintah County, Utah. I have lived in Uintah County 64 years.

2. I have traveled and am familiar with a road in Uintah County known as the Bitter Creek Road. I am also familiar with the land the road traverses. When I first used and observed the road in the 1950s, it followed the same route as January of 2006, when I last observed it. Attached is a Uintah County map showing Bitter Creek 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 identifies this road according to the road number described 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 1950s and continuing through 1976 to January of 2006. During this time period I have observed travel on the road by various means, including trucks, jeeps, and large 18-wheelers. During this time period, the road has been used daily.

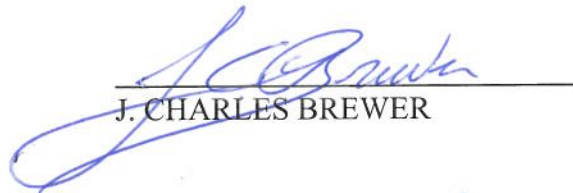
5. During the time period from the 1950s to January of 2006, I have used the road myself for livestock operations, hunting, oil and gas exploration or development, recreation and wood gathering.

6. During the time period described in the previous paragraph, I observed vehicles using the road at various times for oil and gas exploration or development, livestock operations, wood gathering, hunting 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 1950s and continuing through 1976 to January of 2006, for the uses described in the previous paragraphs.

8. I observed the following evidence of construction and maintenance performed on the road prior to 1976: I personally observed graders maintaining the road from the 1950s to January of 2006.

Dated this 16 day of October, 2006.


J. CHARLES BREWER

SUBSCRIBED AND SWORN TO before me this 16 day of October, 2006.



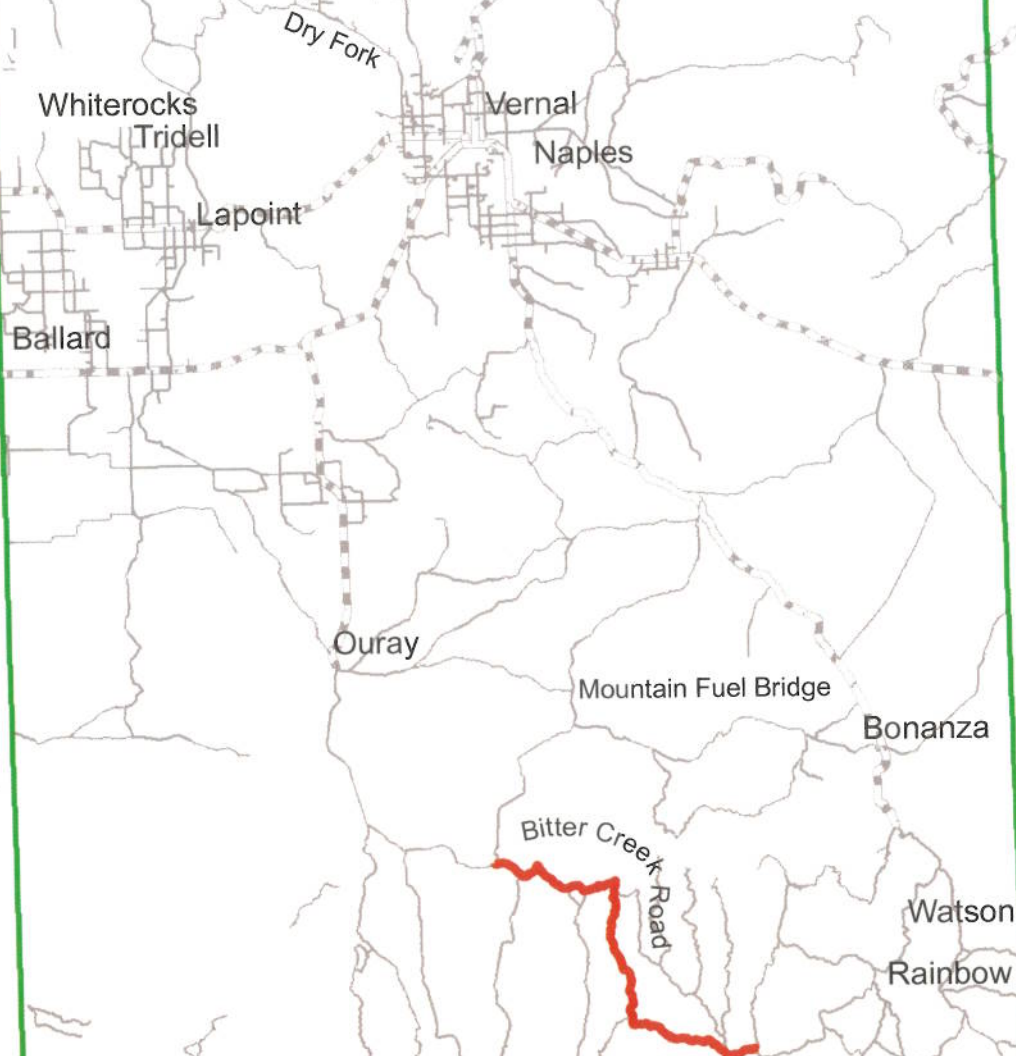

Notary Public

UINTAH COUNTY

Entry 2008005768
Book 1095 Page 8



Bitter Creek Road
Road # 4120
RD240506



Legend

 Bitter Creek Road

Roads

 Class B Roads

 Federal or State

 Uintah County



Uintah County



Exhibit B

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

Popular Name: Bitter Creek Road

County: Uintah

County Road Number: 4120

State Geographic Information Database (SGID) Road Identification Number: RD240506.

Total Road Length: 22.94 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 56 minutes 032.8 seconds North Latitude and -109 degrees 32 minutes 05.84 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,191,312.6 feet and Y = 7,153,810.4 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 48 minutes 13.59 seconds North Latitude and -109 degrees 17 minutes 55.46 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,258,765.5 feet and Y = 7,104,859.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 10 South Range 21 East, Section(s) 14,15,23,24, Salt Lake Base & Meridian
Township 10 South Range 22 East, Section(s) 19,27,28,29,30,34, Salt Lake Base & Meridian
Township 11 South Range 22 East, Section(s) 2,11,13,14,23,24,25,26,36, Salt Lake Base & Meridian
Township 11 South Range 23 East, Section(s) 31,32,33, Salt Lake Base & Meridian
Township 12 South Range 23 East, Section(s) 1,2,3,4, Salt Lake Base & Meridian