

Entry 2008005794
Book 1095 Page 235-243 \$0.00
12-JUN-08 09:46
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:

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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 East Bench Road; County Road Number: 4130; State Geographic Information Database (SGID) Road Identification Number: RD241262.

This document supplements and supports the information contained in the document first recorded at **Ent 2006012486, Bk 1007, Beg Pg 37**, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **12/27/2007** at **Ent 2007401375, Bk 1069, Beg Pg 43**. 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.

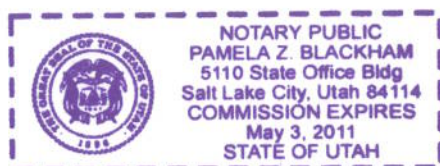
By the Governor's Designee


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.

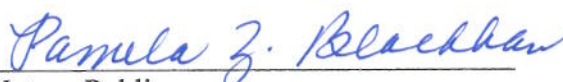

Notary Public

Exhibit A

AFFIDAVIT OF DUANE BOREN

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EAST BENCH ROAD

UINTAH COUNTY, UTAH

COUNTY ROAD NUMBER 4130

State of Utah)
 : ss
County of Uintah)

DUANE BOREN, 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 55 years.

2. I have traveled and am familiar with a road in Uintah County known as East Bench Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1958, it followed the same route as 2006, when I last observed it. Attached is a Uintah County map showing East Bench 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 1958 and continuing through 1976 to the present. During this time period I have observed travel on the road by various means, including cars and pickup trucks. During this time period, the road has been used daily.

5. During the time period from the early 1958 to 2006, I have used the road myself for hunting, mining and trapping.

6. During the time period described in the previous paragraph, I observed vehicles using the road at various times for prospecting for minerals, traveling in and through the area and 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 early 1958 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of maintenance and construction activities on the road prior to 1976: I have personally observed the graded surface of the road.

Dated this 18 day of Oct, 2006.

J. Duane Boren
DUANE BOREN

SUBSCRIBED AND SWORN TO before me this 18 day of OCT, 2006.

[Signature]
Notary Public
HINTAH CO RECORDED



UINTAH COUNTY

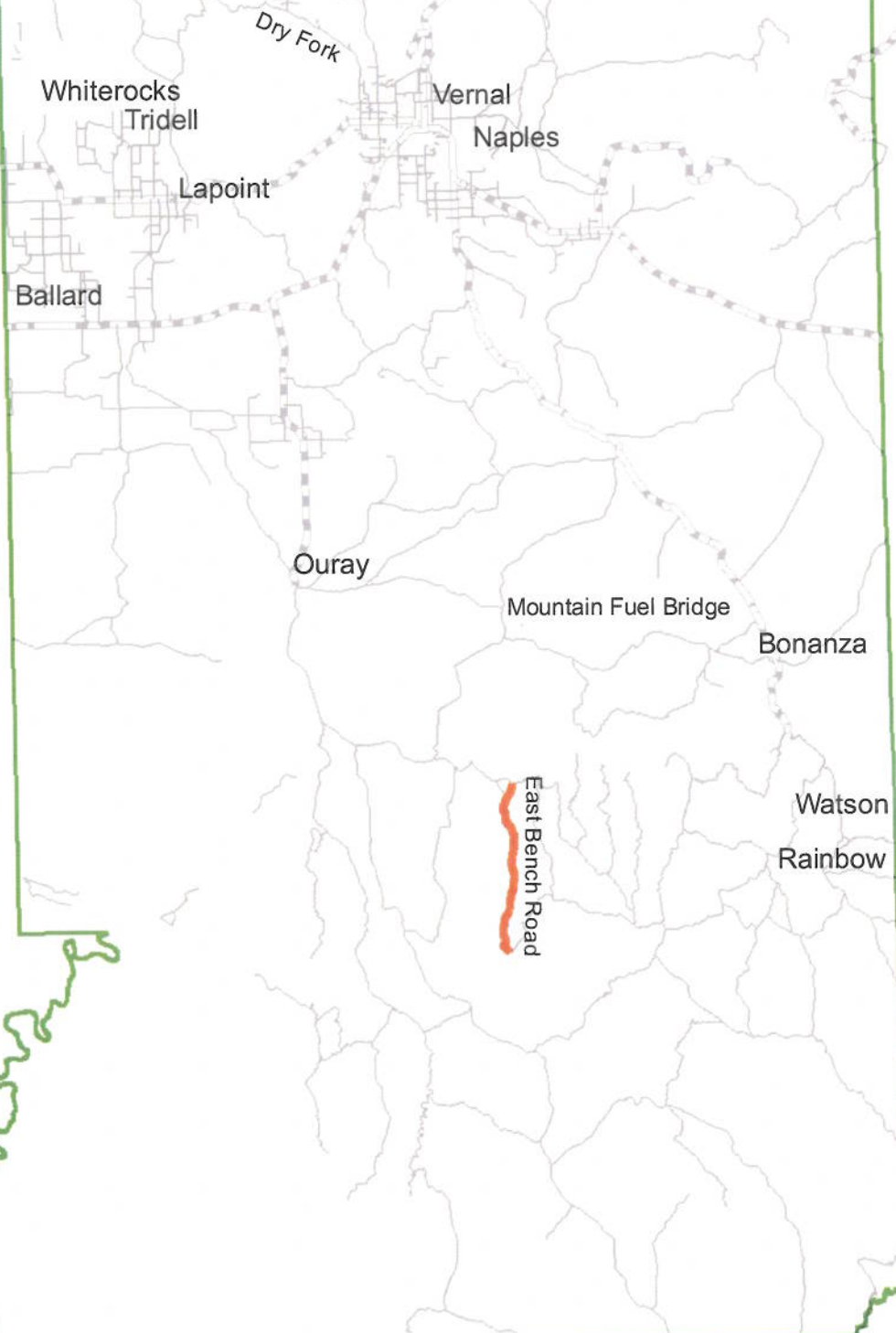
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East Bench Road
Road # 4130
RD241262



Legend

- East Bench Road
- Roads**
- Class B Roads
- Federal or State
- Uintah County



Uintah County



AFFIDAVIT OF ARDEN W. STEWART

EAST BENCH ROAD,

UINTAH COUNTY, UTAH

COUNTY ROAD NUMBER 4130

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 East Bench Road. I am also familiar with the land the road traverses. When I first used and observed the road in the 1930s, it followed the same route as 2006, when I last observed it. Attached is a Uintah County map showing East Bench 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 1930s and continuing through 1976 to 2006. During this time period I have observed travel on the road by various means, including oil field trucks, livestock trucks and sheep wagons. During this time period, the road has been used daily.

5. During the time period from the 1930s to the early 1990s, I have used the road myself for travel in and through the area, oil and gas exploration, hunting, fishing, livestock operations and recreation.

6. During the time period described in the previous paragraph, plus vehicles using the road at various times for mining, predator control, wood gathering, government access, recreation 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 1930s and continuing through 1976 to the present, 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 grader marks, berms and gravel from the oil field companies building and maintaining the road prior to 1976.

Dated this 17 day of October, 2006.


ARDEN W. STEWART

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

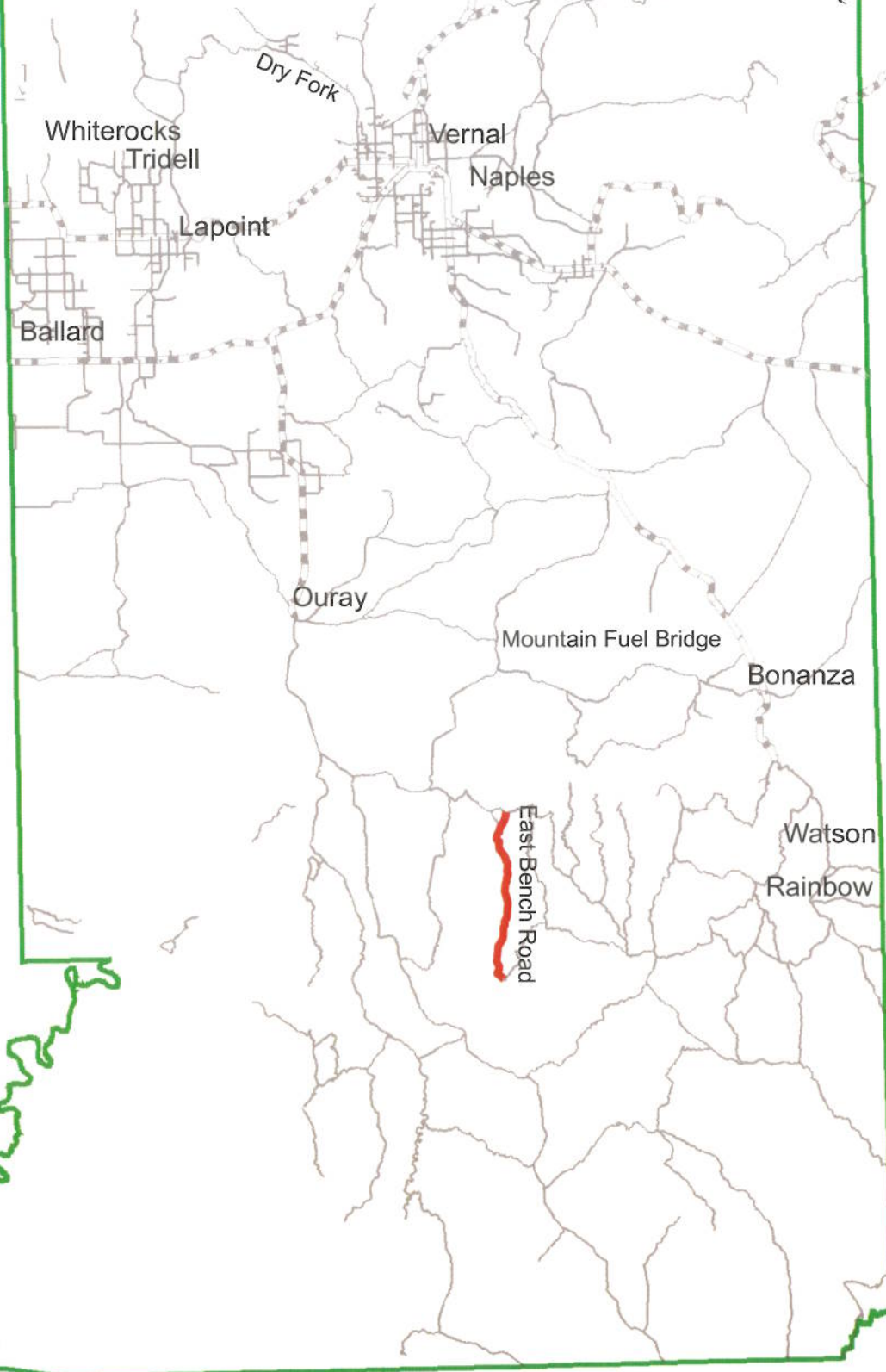



Notary Public

UINTAH COUNTY

East Bench Road
Road # 4130
RD241262

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Legend

- East Bench Road
- Roads**
- Class B Roads
- Federal or State
- Uintah County



Exhibit B

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

Popular Name: East Bench Road

County: Uintah

County Road Number: 4130

State Geographic Information Database (SGID) Road Identification Number: RD241262.

Total Road Length: 10.39 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 46 minutes 58.64 seconds North Latitude and -109 degrees 27 minutes 36.01 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,213,646.2 feet and Y = 7,096,204.3 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 55 minutes 13.79 seconds North Latitude and -109 degrees 27 minutes 09.12 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,214,598.4 feet and Y = 7,146,337.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 10 South Range 22 East, Section(s) 28,29,32, Salt Lake Base & Meridian

Township 11 South Range 22 East, Section(s) 4,9,16,21,28,33, Salt Lake Base & Meridian

Township 12 South Range 22 East, Section(s) 4,9, Salt Lake Base & Meridian