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 Beaver County known as PIOCHE DIAGONAL ROAD; County Road Number: B-105; State Geographic Information Database (SGID) Road Identification Number: RD010011.

This document supplements and supports the information contained in the document first recorded at **Ent 232866, Bk 408, Beg Pg744,** as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **February 13, 2008** at **Ent 235702, Bk 417, Beg Pg 869** . 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 27th day of June, 2008.

By the Governor's Designee

John Harja

Ent 236944 Bk 423 Pg 386
Date: 02-JUL-2008 11:29AM
Fee: None
Filed By: CP
BRUCE BROWN, Recorder
BEAVER COUNTY CORPORATION
For: STATE OF UTAH

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 27 day of June, 2008.

Notary Public
DEBORAH MONTGOMERY
5110 State Office Bldg, PO Box 142477
Salt Lake City, Utah 84114
My Commission Expires
April 24, 2012
State of Utah

Notary Public

Exhibit A

Ent 236944 Bk 0423 Pg 0387

AFFIDAVIT OF RULON J. HARDY

PIOCHE DIAGONAL ROAD

BEAVER COUNTY, UTAH

ROAD NUMBER B-105

State of Utah)
: ss.
County of Beaver)

RULON J. HARDY, 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 Milford, Beaver County, Utah. I have lived in Beaver County most of my life.

2. I have traveled and am familiar with a road in Beaver County known as Pioche Diagonal Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1953, it followed the same route as in 2005 when I last observed it. Attached is a Beaver County map showing Pioche Diagonal 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 1953 and continuing through 1976 to 2005. Throughout this time period I have observed travel on the road by means of trucks, ATVs and jeeps. Throughout the time period from 1953 to 2005 the road was used daily and is presently used daily, weather permitting.

5. Throughout the time period from 1953 to 2005, I have used the road myself for recreation and hunting.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus mining, prospecting for minerals and livestock operations.

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 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 1 day of February, 2007.

Rulon J. Hardy
RULON J. HARDY

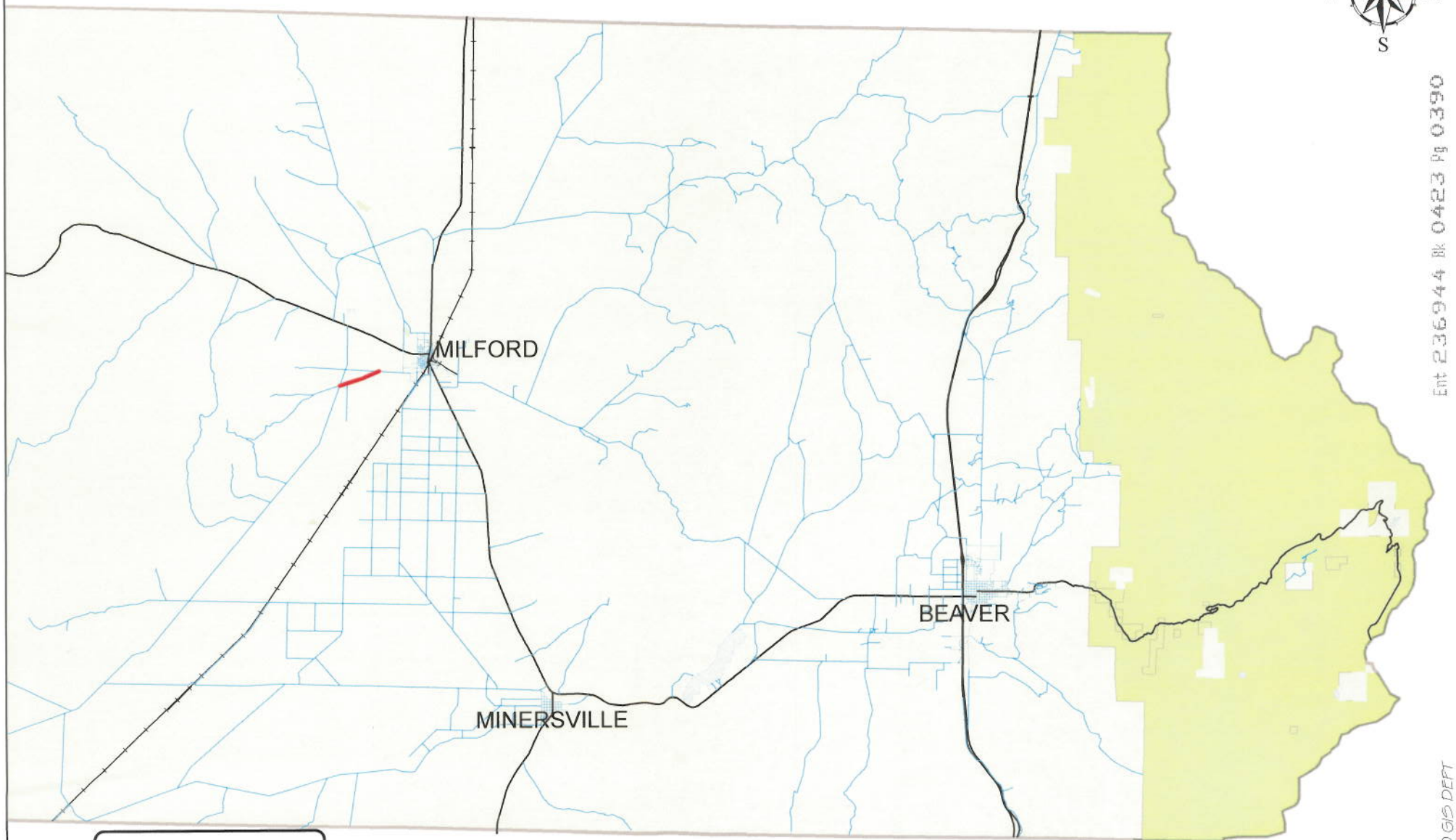
SUBSCRIBED AND SWORN to before me this 1st day of February, 2007.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

Gloria Schrader
NOTARY PUBLIC

Ent 236944 Bk 0423 Pg 0389

BEAVER COUNTY "B" ROADS



Legend

- Pioche Diagonal
- County B Roads
- State Highways
- UPRR

PIOCHE DIAGONAL
B-105

MAP VIEW AREA

CREATED BY BEAVER CO GIS DEPT

Ent 236944 Bk 0423 Pg 0390

AFFIDAVIT OF ROBERT MERRYWEATHER

PIOCHE DIAGONAL ROAD

BEAVER COUNTY, UTAH

ROAD NUMBER B-105

State of Utah)
: ss.
County of Beaver)

ROBERT MERRYWEATHER, 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 Milford, Beaver County, Utah. I have lived in Beaver County most of my life. I was employed with the Beaver County Road Department from approximately 1970 to 2000.

2. I have traveled and am familiar with a road in Beaver County known as Pioche Diagonal 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 2007 when I last observed it. Attached is a Beaver County map showing Pioche Diagonal 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 1950 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by means of pickup trucks, ATVs and automobiles. Throughout this time period, the road has been used daily, weather permitting.

5. Throughout the time period from 1950 to 2007, I have used the road myself for hunting, recreation and county road maintenance.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus mining, prospecting for minerals, government access and wood gathering.

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 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I performed maintenance and construction activities on the road.

DATED this 1 day of February, 2007.

ROBERT MERRYWEATHER

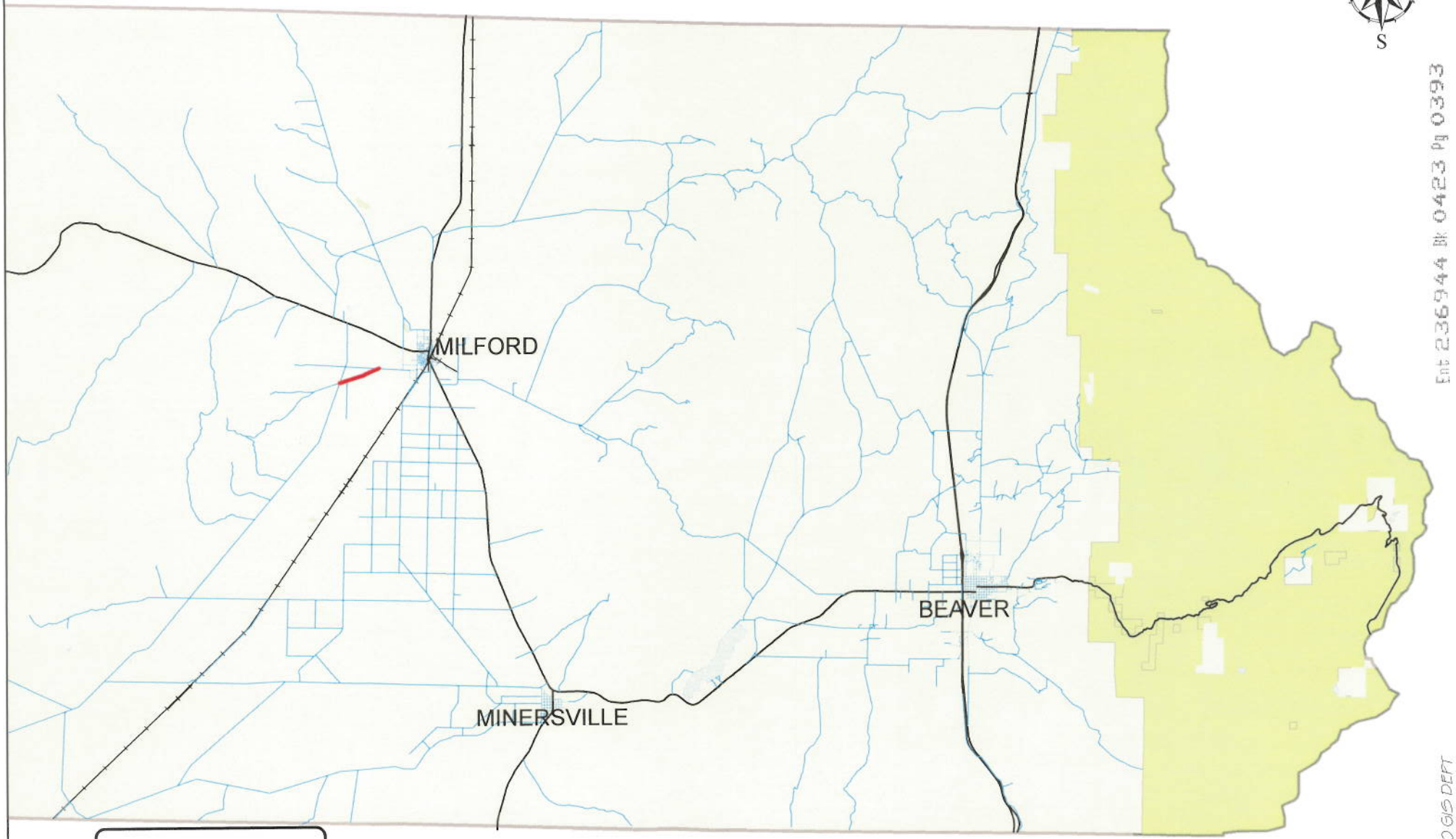
SUBSCRIBED AND SWORN to before me this 1st day of February, 2007.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC

Ent 236944 Bk 0423 Pg 0392

BEAVER COUNTY "B" ROADS

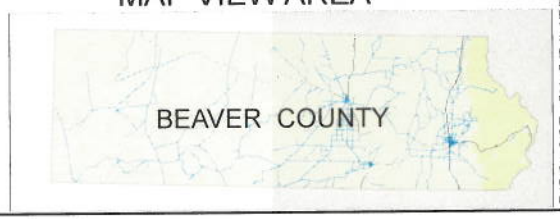


Legend

- Pioche Diagonal
- County B Roads
- State Highways
- UPRR

PIOCHE DIAGONAL
B-105

MAP VIEW AREA



CREATED BY BEAVER CO GIS DEPT

Ent 239944 B: 0423 Pg 0393

Exhibit B

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

Popular Name: PIOCHE DIAGONAL ROAD
County: Beaver
County Road Number: B-105
State Geographic Information Database (SGID) Road Identification Number: RD010011.
Total Road Length: 2.22 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 22 minutes 46.13 seconds North Latitude and -113 degrees 04 minutes 14.11 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,190,191.7 feet and Y = 10,469,969.6 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 24 minutes 39.78 seconds North Latitude and -113 degrees 03 minutes 57.94 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,191,671.4 feet and Y = 10,481,443.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 28 South Range 11 West, Section(s) 3,10,15, Salt Lake Base & Meridian

Ent 236944 Bk 0423 Pg 0394