**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 ROSE SPRING CANYON ROAD; County Road Number: B-141; State Geographic Information Database (SGID) Road Identification Number: RD010042.

This document supplements and supports the information contained in the document first recorded at **Ent 232873, Bk 408, Beg Pg 786,** as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **February 14, 2008** at **Ent 235743, Bk 418, Beg Pg 240** . 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 236994 Bk 423 Pg 836
Date: 02-JUL-2008 1:00PM
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 27th 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

Deborah Montgomery
Notary Public

# Exhibit A



Ent 236994 Bk 0423 Pg 0837

**AFFIDAVIT OF ROBERT MERRYWEATHER**

**ROSE SPRING CANYON ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-141**

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 Rose Spring Canyon 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 2006 when I last observed it. Attached is a Beaver County map showing Rose Spring Canyon 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 2006. Throughout this time period I have observed travel on the road by means of pickup trucks and ATVs. Throughout this time period, the road has been used weekly, weather permitting.

5. Throughout the time period from 1950 to 2006, I have used the road myself for county road maintenance, hunting, pine nut gathering, recreation.

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, livestock operations and travel 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 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.

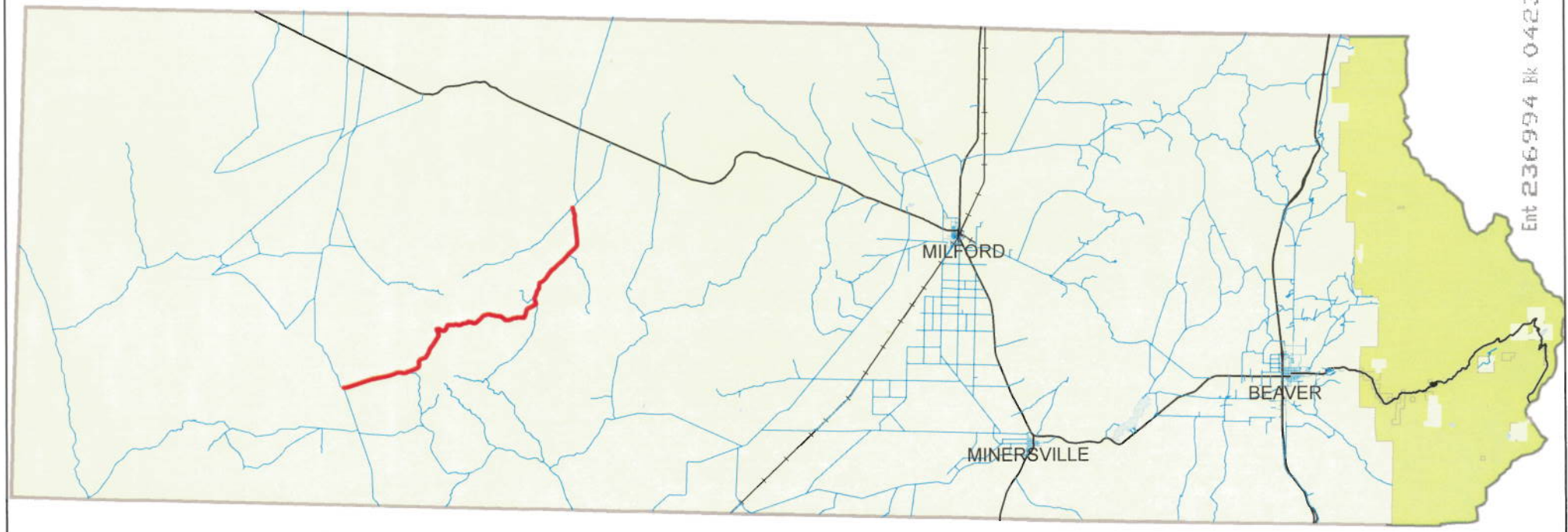
Notary Public
GLORIA SCHRADER
5110 State Office Bldg
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC



Ent 236994 Bk 0423 Pg 0839

# BEAVER COUNTY "B" ROADS




**Legend**

- Rose Spring Canyon
- County B Roads
- State Highways
- UPRR

## ROSE SPRING CANYON
## B-141

CREATED BY BEAVER CO GIS DEPT

Ent 236994 Bk 0423 Pg 0840

**AFFIDAVIT OF RUBEN W. DOTSON**

**ROSE SPRING CANYON ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-141**

State of Utah )
: ss.
County of Beaver )

RUBEN W. DOTSON, 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 Minersville, Beaver County, Utah. I have lived in Beaver County my entire life.

2. I have traveled and am familiar with a road in Beaver County known as Rose Spring Canyon Road. I am also familiar with the land the road traverses. When I first used and observed the road in the 1960s, it followed the same route as in 2005 when I last observed it. Attached is a Beaver County map showing Rose Spring Canyon 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 the 1960s and continuing through 1976 to 2005. Throughout this time period I have observed travel on the road by means of cars and pickup trucks. Throughout the time period from the 1960s to 2005 the road was used weekly, weather permitting.

5. Throughout the time period from 1945 to 2005, I have used the road myself for hunting, wood gathering and gathering pine nuts.

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 and livestock operations. 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 1960s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 31 day of January, 2007.

Ruben W Dotson

RUBEN W. DOTSON

SUBSCRIBED AND SWORN to before me this 31st day of January, 2007.

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

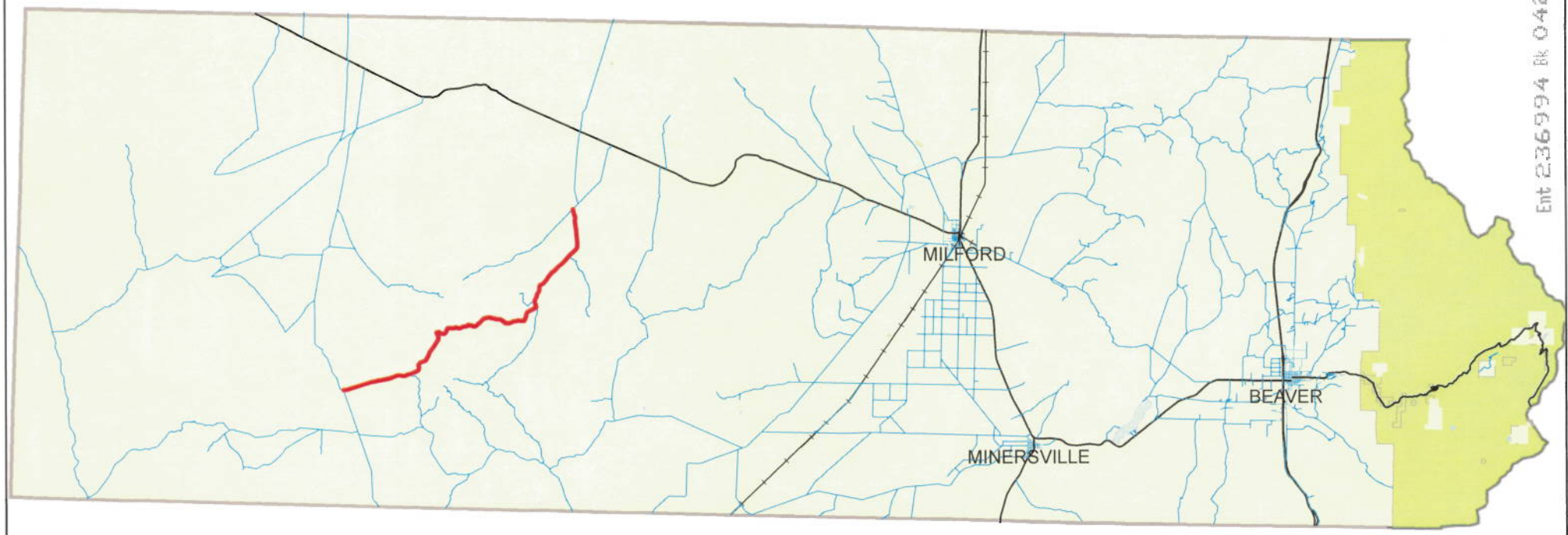
Gloria Schrader

NOTARY PUBLIC



Ent 236994 Bk 0423 Pg 0842

# BEAVER COUNTY "B" ROADS




**Legend**

- Rose Spring Canyon
- County B Roads
- State Highways
- UPRR

## ROSE SPRING CANYON
## B-141

CREATED BY BEAVER CO GIS DEPT

Ent 239694 Bk 0423 Pg 0843

# Exhibit B

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

**Popular Name: ROSE SPRING CANYON ROAD**
**County: Beaver**
**County Road Number: B-141**
**State Geographic Information Database (SGID) Road Identification Number: RD010042.**
**Total Road Length: 7.52 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 14 minutes 58.23 seconds North Latitude and -113 degrees 41 minutes 14.63 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,012,297.3 feet and Y = 10,426,201.9 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 18 minutes 6.4 seconds North Latitude and -113 degrees 35 minutes 11.92 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,041,648.6 feet and Y = 10,444,571.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 29 South Range 16 West, Section(s) 12,13,23,24,26,27,28,29,30,31, Salt Lake Base & Meridian



Ent 236994 Bk 0423 Pg 0844