

DOC # 00354931

Affidavits B: 0602 P: 0673
Jayrene B Nielsen Sevier County Recorder Page 1 of 9
07/01/2008 10:16:51 AM Fee \$0.00 By GOVERNOR OF THE STA

**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 Sevier County known as 1066d_Mormon Peak Road; County Road Number: 6096; State Geographic Information Database (SGID) Road Identification Number: RD210040.

This document supplements and supports the information contained in the document first recorded at **Doc # 00344635, Bk 0561, Beg Pg 0205**, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **2/13/2008** at **Doc #00352452 Bk 0591, Beg Pg 0432**. 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 24th day of June, 2008.

By the Governor's Designee

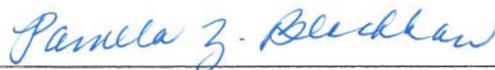

John Harja

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

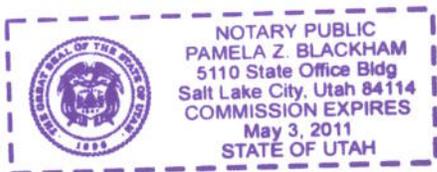
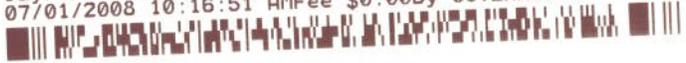


Exhibit A

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**AFFIDAVIT OF DEVON ANDERSON
MORMON PEAK ROAD
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6096**

State of Utah)
 : ss.
County of Sevier)

DEVON ANDERSON, 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 Richfield, Sevier County, Utah. I have lived in Sevier County since 1950.

2. I have traveled and am familiar with a road in Sevier County known as the Mormon Peak Road (County Road Number 6096). I am also familiar with the land the road traverses. When I first used and observed the road in approximately 1954, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing the Mormon Peak Road (County Road Number 6096). 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 and unique identifier 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 approximately 1954 and continuing through 1976 to 2006. During this time period I have observed travel on the road by various means, including automobiles, horseback, 4 wheelers, and pickups. During this time period, the road has been used daily.

5. During the time period from approximately 1954 to 2006, I have used the road myself for the following uses: Wood gathering, hunting, and traveling in and through the area.

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6. During 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: Oil & gas exploration, government access, and livestock operations.

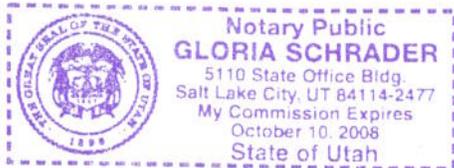
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed graders performing maintenance/construction activities on the road. I have graded it myself since 2002.

DATED this 15 day of November, 2006.


DEVON ANDERSON

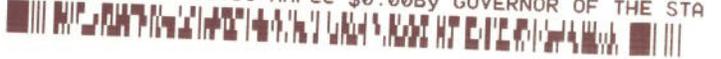
SUBSCRIBED AND SWORN to before me this 15th day of November, 2006.




NOTARY PUBLIC

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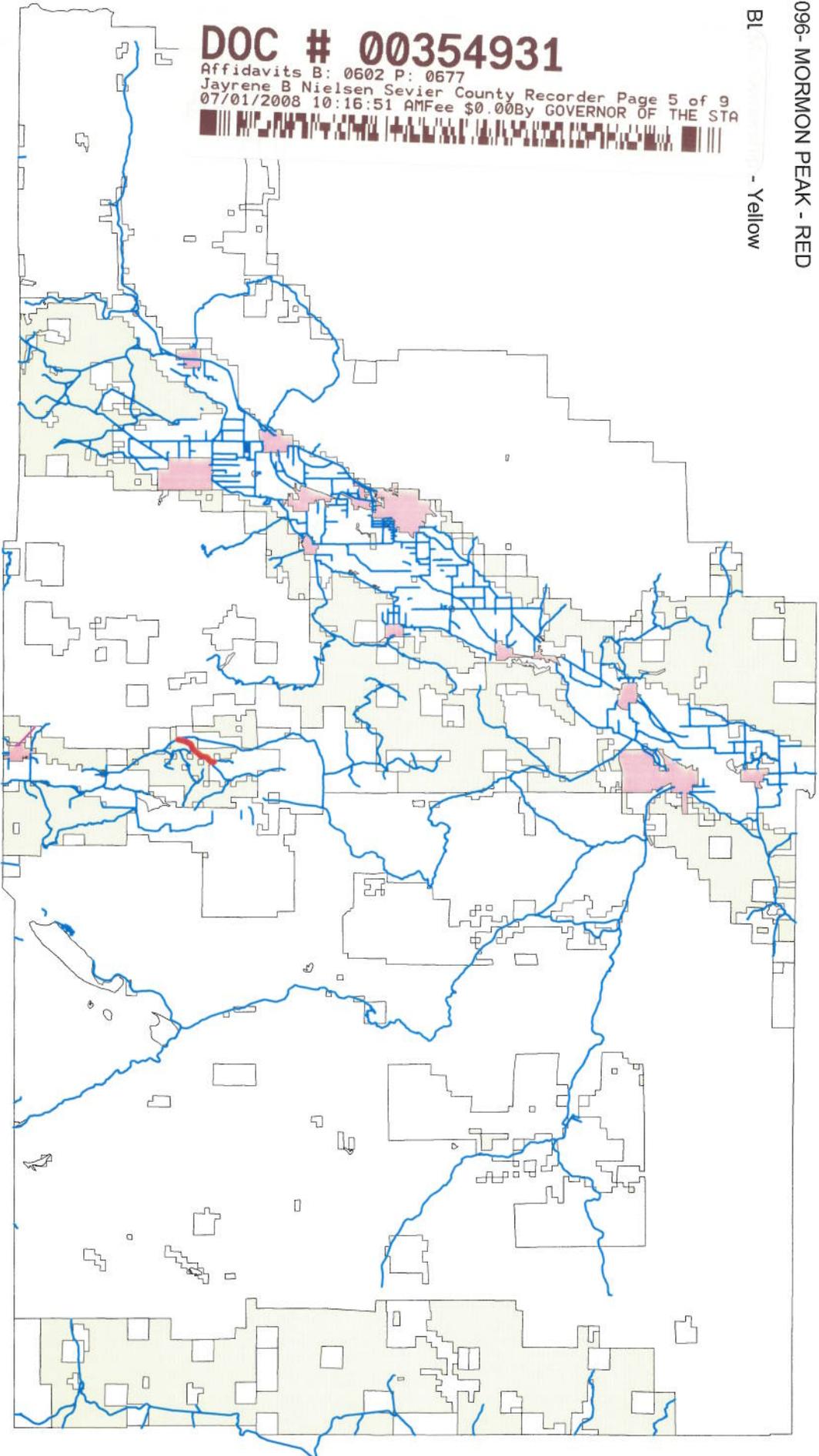
Class "B" Maintained Roads - Blue

6096- MORMON PEAK - RED

Bl - Yellow

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SEVIER COUNTY

RS2477

October 19, 2006

AFFIDAVIT OF KEN GURNEY
MORMON PEAK ROAD
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6096

State of Utah)
 : ss.
County of Sevier)

KEN GURNEY, 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 Aurora, Sevier County, Utah. I have lived in Sevier County since 1951.
2. I have traveled and am familiar with a road in Sevier County known as the Mormon Peak Road (County Road Number 6096). I am also familiar with the land the road traverses. When I first used and observed the road in 1954, it followed the same route as in 2003 when I last observed it. Attached is a Sevier County map showing the Mormon Peak Road (County Road Number 6096). 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 1954 and continuing through 1976 to 2003. Throughout this time period I have observed travel on the road by various means, including automobiles, horses, trucks, and four wheelers. Throughout this time period, the road has been used daily, weather permitting.
5. Throughout the time period from 1954 to 2003, I have used the road myself for the following uses: Livestock operations, tourism, and hunting.

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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: recreation and ATV's.

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 late 1800's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

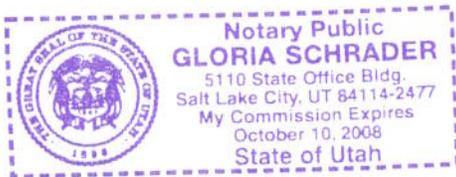
8. Prior to 1976, I observed the graded surface of the road.

DATED this 16 day of November, 2006.



KEN GURNEY

SUBSCRIBED AND SWORN to before me this 16th day of November, 2006.





NOTARY PUBLIC



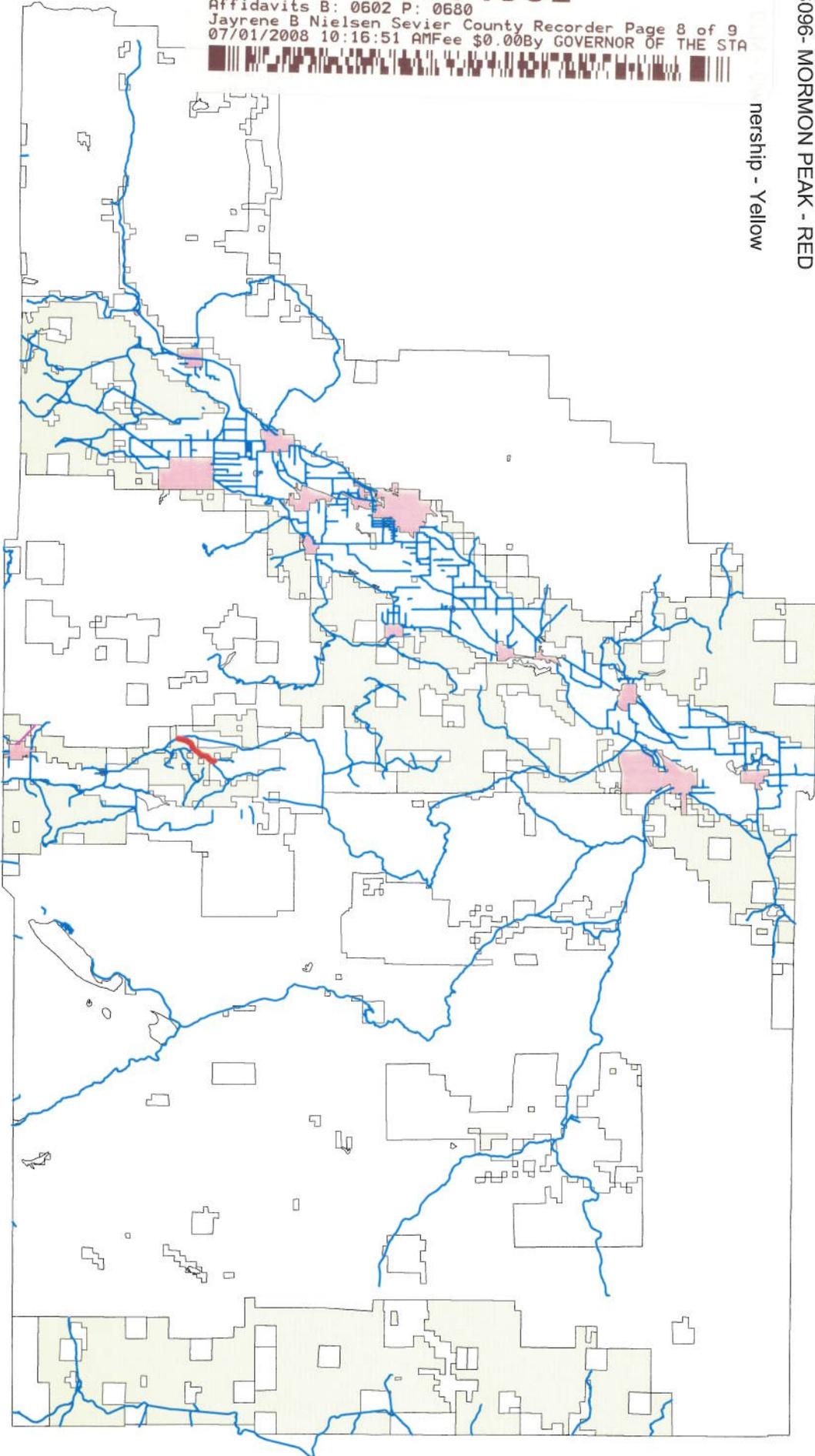
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Class "B" Maintained Roads - Blue
6096- MORMON PEAK - RED

nership - Yellow



SEVIER COUNTY

RS2477

October 19, 2006

Exhibit B

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

Popular Name: 1066d_Mormon Peak Road

County: Sevier

County Road Number: 6096

State Geographic Information Database (SGID) Road Identification Number: RD210040.

Total Road Length: 2.14 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 37 minutes 07.23 seconds North Latitude and -111 degrees 53 minutes 36.99 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,527,939.3 feet and Y = 6,665,851.5 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 38 minutes 34.75 seconds North Latitude and -111 degrees 52 minutes 29.56 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,533,328.7 feet and Y = 6,674,683.5 feet based on the US Survey Foot conversion.

This road may traverse:

Township 25 South Range 1 West, Section(s) 11,14,22,23, Salt Lake Base & Meridian

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