



## Exhibit A

**AFFIDAVIT OF ROBERT MERRYWEATHER**

**BEARSKIN FLAT ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-101**

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 Bearskin Flat 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 Bearskin Flat 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, ATVs and automobiles. Throughout this time period, the road has been used daily, weather permitting.

5. Throughout the time period from 1950 to 2006, 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 and livestock operations.

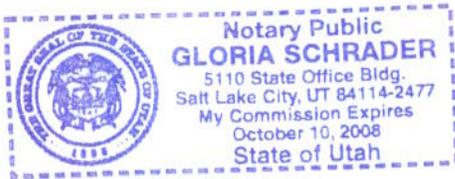
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

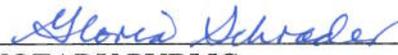
8. Prior to 1976, I performed maintenance and construction activities on the road.

DATED this 1 day of February, 2007.

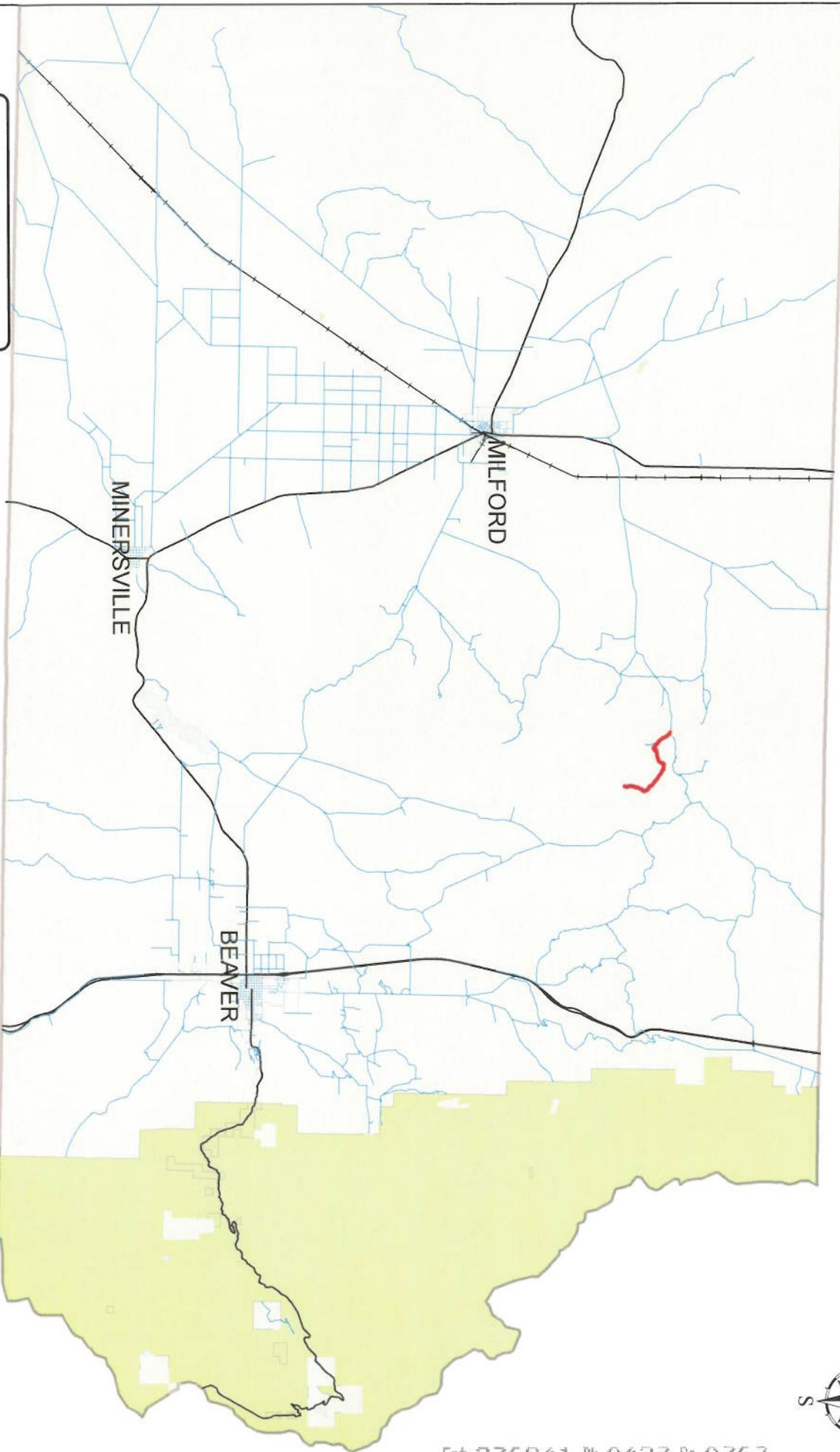
  
\_\_\_\_\_  
ROBERT MERRYWEATHER

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



  
\_\_\_\_\_  
NOTARY PUBLIC

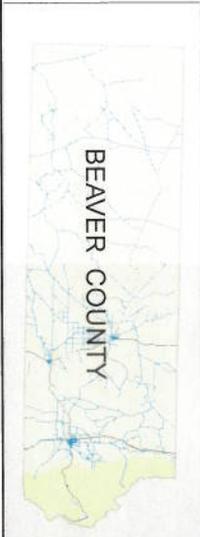
# BEAVER COUNTY "B" ROADS



**Legend**

- Bearskin Flat Road (Red wavy line)
- County B Roads (Blue wavy line)
- State Highways (Black line with cross-ticks)
- UPRR (Black line with cross-ticks)

**BEARSKIN FLAT ROAD  
B-101**



**AFFIDAVIT OF FLOYD YARDLEY**

**BEARSKIN FLAT ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-101**

State of Utah                    )  
  : ss.  
County of Beaver                )

FLOYD YARDLEY, 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 Beaver, 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 Bearskin Flat 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 Bearskin Flat 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 automobiles. Throughout this time period, the road has been used weekly.

5. Throughout the time period from 1950 to 2006, I have used the road myself for livestock operations.

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, farming, government access, wood gathering, hunting, recreation, such as camping, picnicking, hiking, and/or sightseeing and hunting.

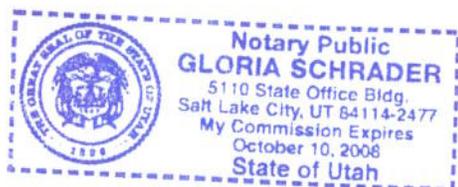
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 31 day of January, 2007.

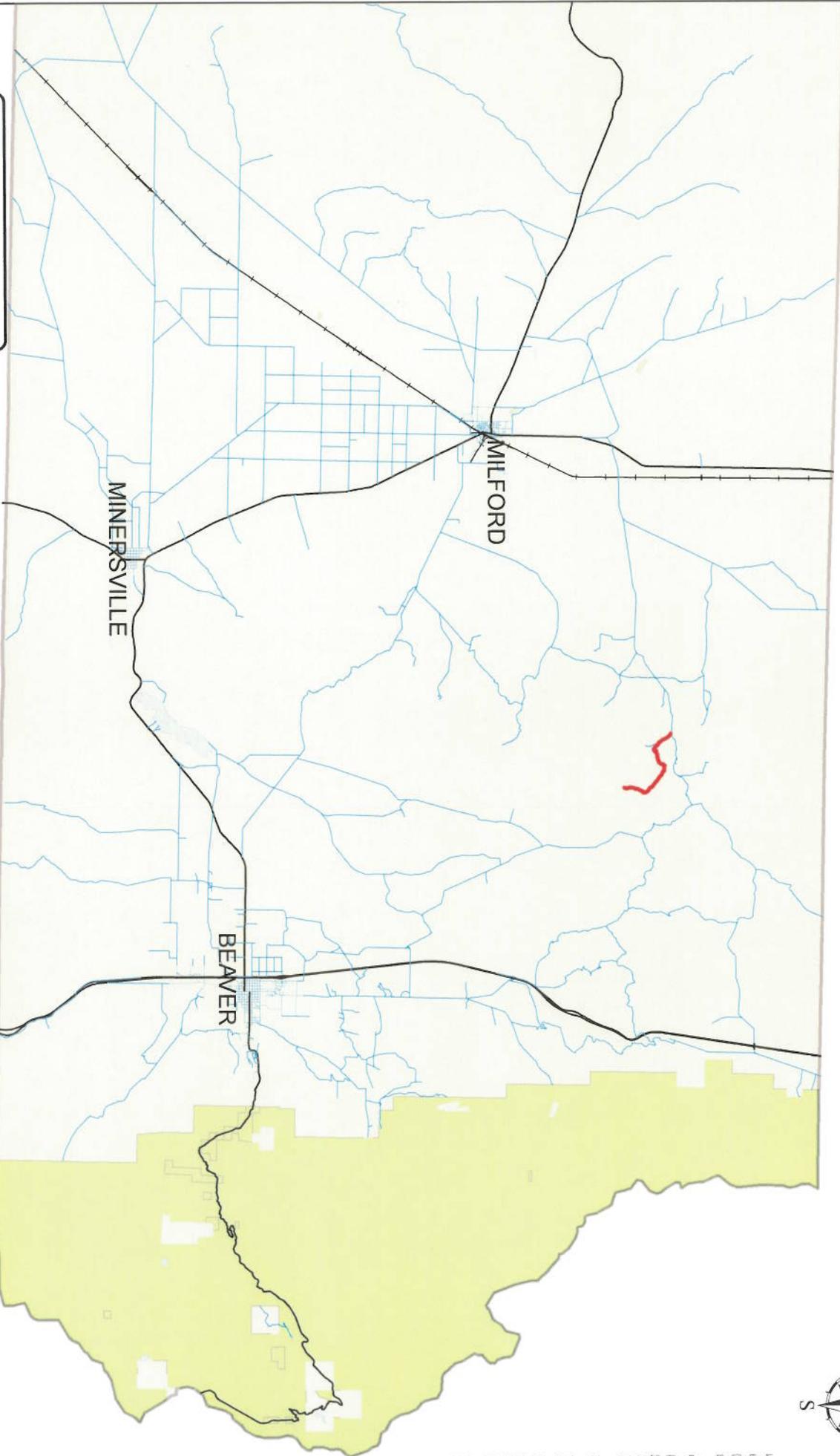
  
FLOYD YARDLEY

SUBSCRIBED AND SWORN to before me this 31<sup>st</sup> day of January, 2007.



  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS

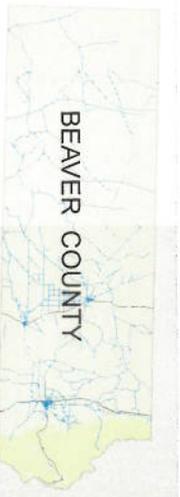


## Legend

- Bearskin Flat Road
- County B Roads
- State Highways
- UPRR

## BEARSKIN FLAT ROAD B-101

MAP VIEW AREA



## Exhibit B

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

**Popular Name: BEARSKIN FLAT ROAD**

**County: Beaver**

**County Road Number: B-101**

**State Geographic Information Database (SGID) Road Identification Number: RD010007.**

**Total Road Length: 3.76 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 29 minutes 32.26 seconds North Latitude and -112 degrees 48 minutes 53.85 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,264,042.2 feet and Y = 10,509,920.7 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 28 minutes 07.89 seconds North Latitude and -112 degrees 46 minutes 44.27 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,274,227.4 feet and Y = 10,501,243.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 27 South Range 8 West, Section(s) 5,6,8,17, Salt Lake Base & Meridian

Township 27 South Range 9 West, Section(s) 1, Salt Lake Base & Meridian