



## Exhibit A

**AFFIDAVIT OF ROBERT MERRYWEATHER**

**VICKS PEAK ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-107**

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 Vicks Peak 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 Vicks Peak 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 daily, weather permitting.

5. Throughout the time period from 1950 to 2006, I have used the road myself for county road maintenance, hunting, recreation and travel in and through the area.

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, wood gathering and livestock operations.

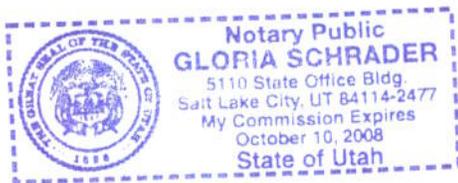
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 1 day of February, 2007.

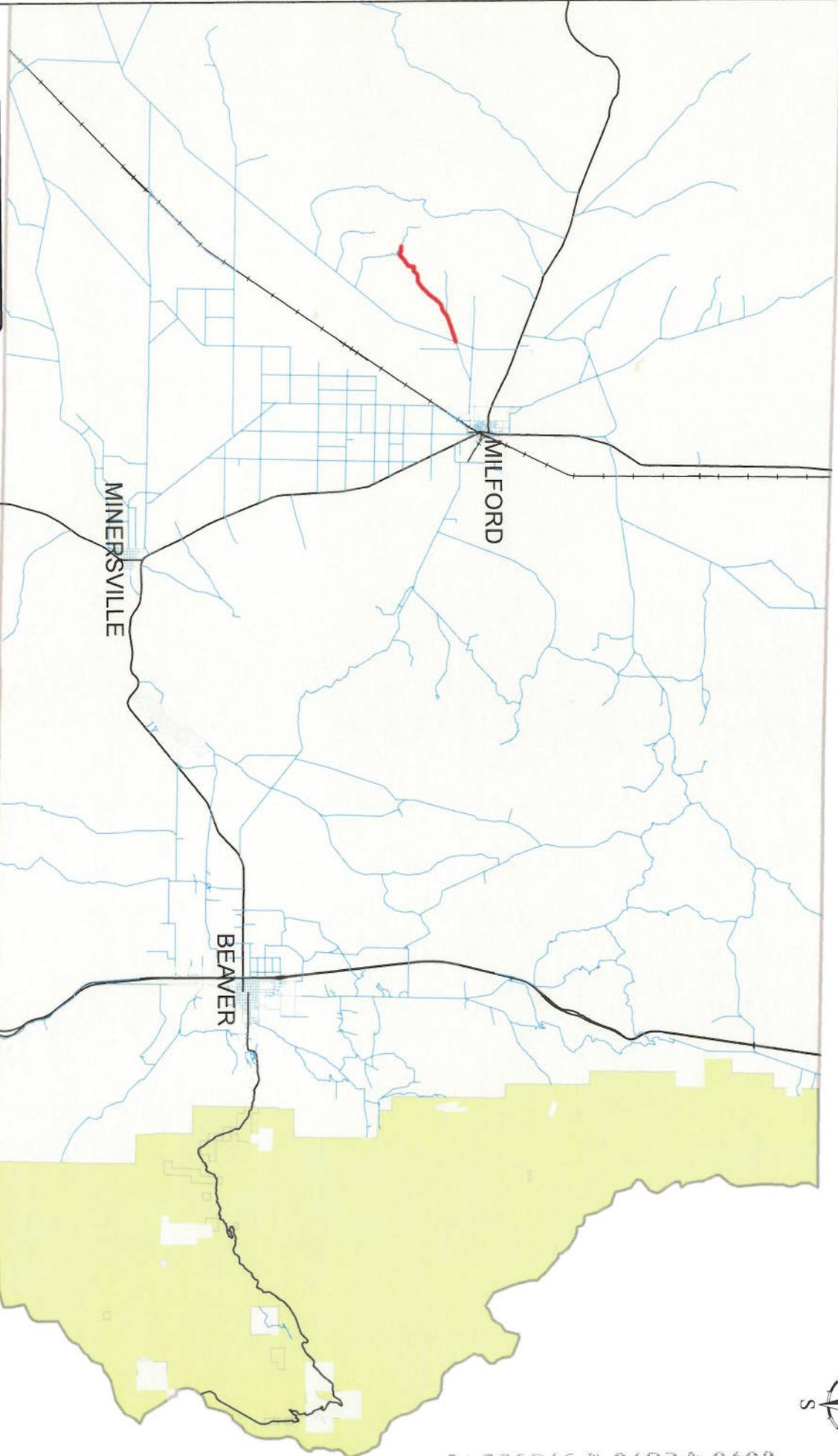
  
ROBERT MERRYWEATHER

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



  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS

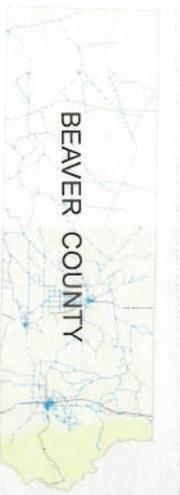


## Legend

- Vicks Peak Road
- County B Roads
- State Highways
- UPRR

## VICKS PEAK ROAD B-107

### MAP VIEW AREA



**AFFIDAVIT OF CARL E. PATTERSON**

**VICKS PEAK ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-107**

State of Utah                    )  
  : ss.  
County of Beaver                )

CARL E. PATTERSON, 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 my entire life.

2. I have traveled and am familiar with a road in Beaver County known as Vicks Peak 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 2004 when I last observed it. Attached is a Beaver County map showing Vicks Peak 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 2004. Throughout this time period I have observed travel on the road by means of pickup trucks, cars, jeeps and ATVs. Throughout this time period, the road has been used daily.

5. Throughout the time period from 1950 to 2004, I have used the road myself for recreation, hunting and traveling in and through the area.

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 recreation.

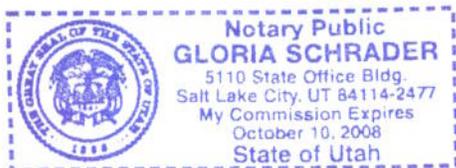
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed graders performing maintenance and construction activities on the road.

DATED this 1 day of February, 2007.

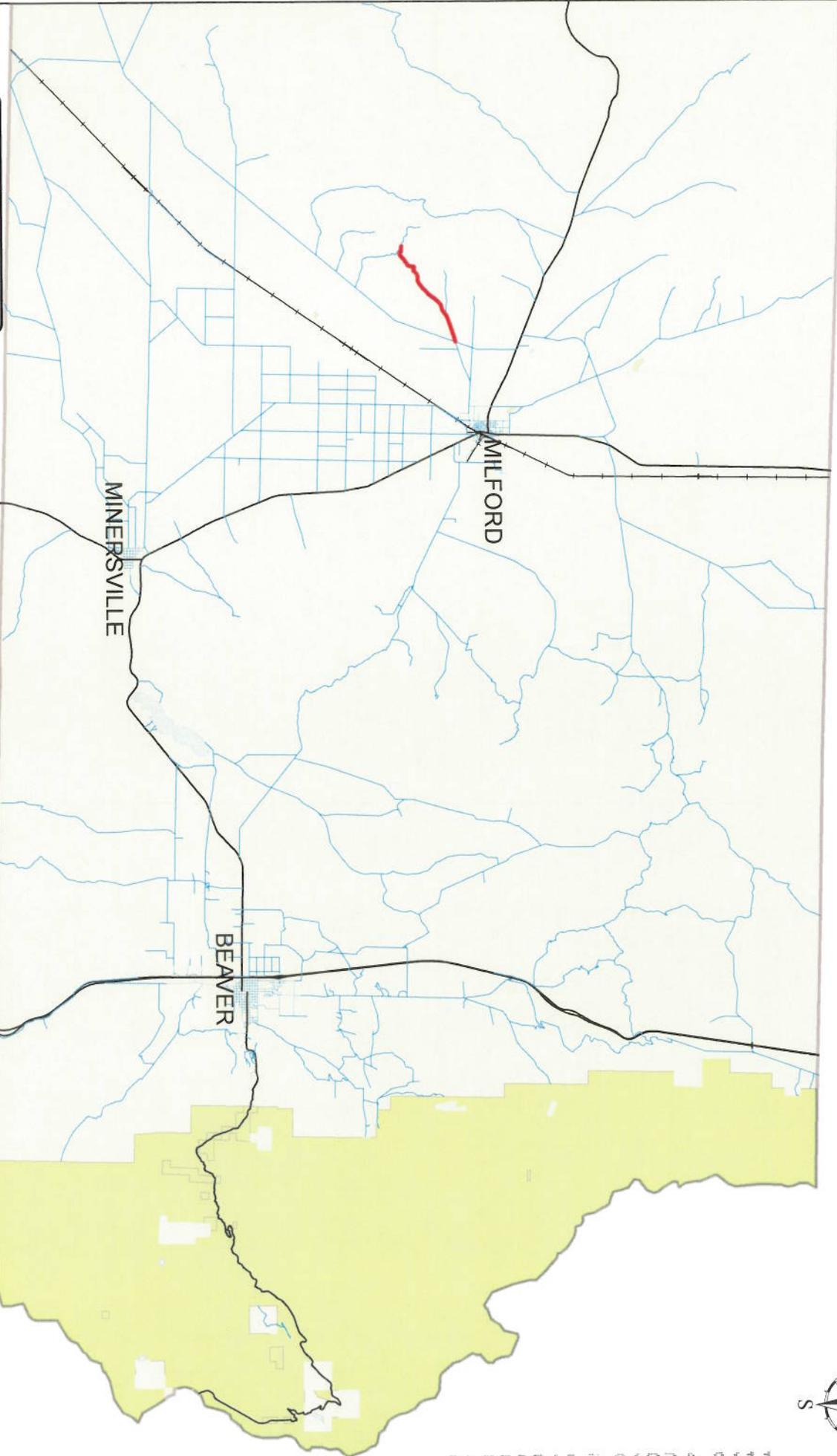
Carl E. Patterson  
CARL E. PATTERSON

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



Gloria Schrader  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS

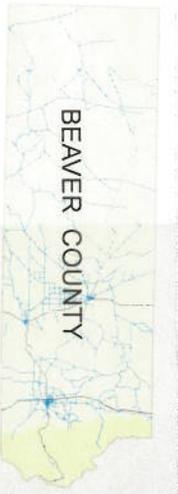


**Legend**

- Vicks Peak Road
- County B Roads
- State Highways
- UPRR

## VICKS PEAK ROAD B-107

MAP VIEW AREA



## Exhibit B

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

**Popular Name: VICKS PEAK ROAD**

**County: Beaver**

**County Road Number: B-107**

**State Geographic Information Database (SGID) Road Identification Number: RD010013.**

**Total Road Length: 5.46 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 21 minutes 38.89 seconds North Latitude and -113 degrees 08 minutes 43.77 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,168,602.0 feet and Y = 10,463,537.2 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 22 minutes 46.77 seconds North Latitude and -113 degrees 04 minutes 13.88 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,190,211.0 feet and Y = 10,470,033.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 28 South Range 11 West, Section(s) 15,16,19,20,21,30, Salt Lake Base & Meridian  
Township 28 South Range 12 West, Section(s) 24, Salt Lake Base & Meridian