



## Exhibit A

**AFFIDAVIT OF RULON J. HARDY**

**THERMO ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-115**

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 Thermo 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 2006 when I last observed it. Attached is a Beaver County map showing Thermo 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 2006. 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 2006 the road was used daily.

5. Throughout the time period from 1953 to 2006, 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 trapping, prospecting for minerals and livestock operations.

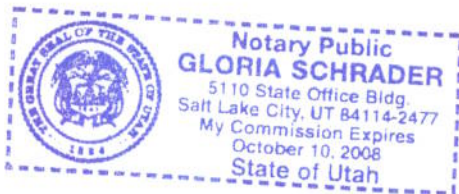
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 1 day of February, 2007.

  
RULON J. HARDY

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



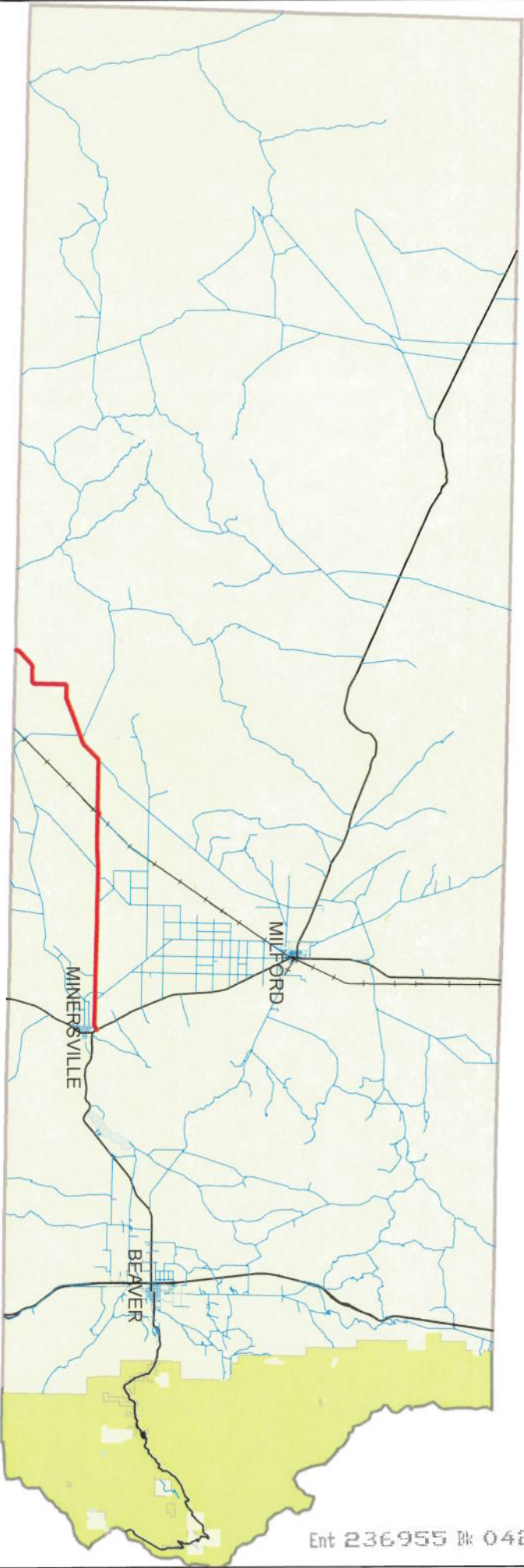
  
NOTARY PUBLIC



# BEAVER COUNTY "B" ROADS



Ent 236955 Bk 0423 Pg 0489



## THERMO ROAD B-115

### Legend

- Thermo Road
- County B Roads
- State Highways
- UPRR

**AFFIDAVIT OF RUSSELL ALBRECHT**

**THERMO ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-115**

State of Utah                    )  
  : ss.  
County of Beaver                )

RUSSELL ALBRECHT, 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 Thermo Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1966, it followed the same route as in 2007 when I last observed it. Attached is a Beaver County map showing Thermo 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 1966 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by means of cars, trucks and ATVs. Throughout the time period from 1966 to 2007 the road was used daily.

5. Throughout the time period from 1966 to 2007, I have used the road myself for livestock operations, hunting, mining and recreation.

6. Throughout the time period described in the previous paragraph, I have observed

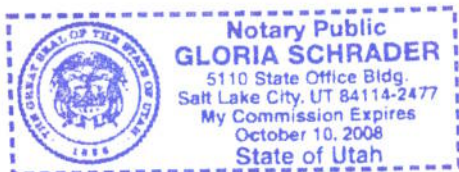
other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus prospecting for minerals, tourism and accessing the railroad. It is also the reputation in the community that this road has been open to the public for all to use, to come and 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 31 day of January, 2007.

  
\_\_\_\_\_  
RUSSELL ALBRECHT

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



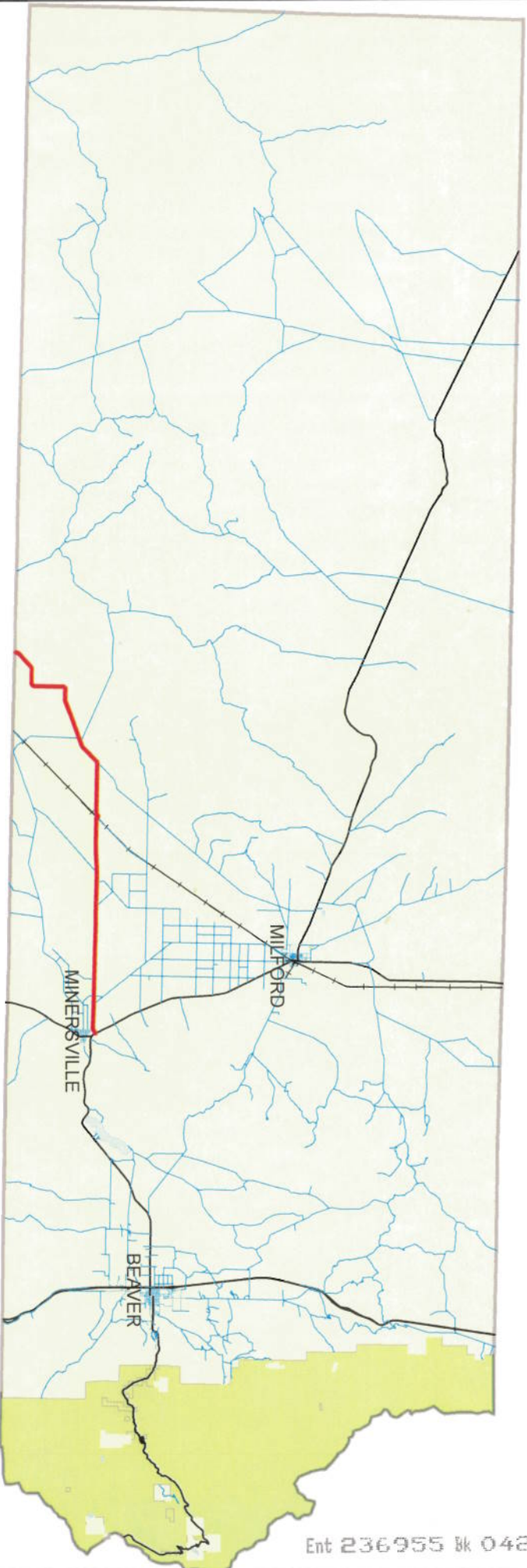
  
\_\_\_\_\_  
NOTARY PUBLIC



# BEAVER COUNTY "B" ROADS



Ent 236955 Bk 0423 Pg 0492



## THERMO ROAD B-115

**Legend**

- Thermo Road (Red line)
- County B Roads (Light blue line)
- State Highways (Black line)
- UPRR (Black line with cross-ticks)



## Exhibit B

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

**Popular Name: THERMO ROAD**

**County: Beaver**

**County Road Number: B-115**

**State Geographic Information Database (SGID) Road Identification Number: RD010022.**

**Total Road Length: 25.64 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 08 minutes 55.31 seconds North Latitude and -113 degrees 20 minutes 33.91 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,110,525.7 feet and Y = 10,387,364.3 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 13 minutes 24.87 seconds North Latitude and -112 degrees 55 minutes 039.4 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,230,307.1 feet and Y = 10,412,541.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 30 South Range 10 West, Section(s) 1,2,3,4,5,6,11,12, Salt Lake Base & Meridian  
Township 30 South Range 11 West, Section(s) 1,2,3,4,5,6,7, Salt Lake Base & Meridian  
Township 30 South Range 12 West, Section(s) 1,2,3,7,8,9,18, Salt Lake Base & Meridian  
Township 30 South Range 13 West, Section(s) 13,14,15,22,27,28,32,33, Salt Lake Base & Meridian