



## **Exhibit A**

**AFFIDAVIT OF ROBERT MERRYWEATHER**

**BLAWN MOUNTAIN ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-137**

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 Blawn Mountain 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 Blawn Mountain 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, gathering pine nuts 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.

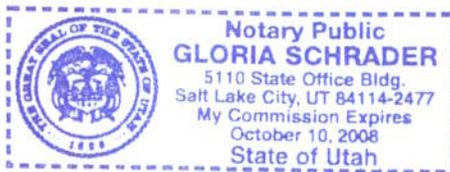
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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.

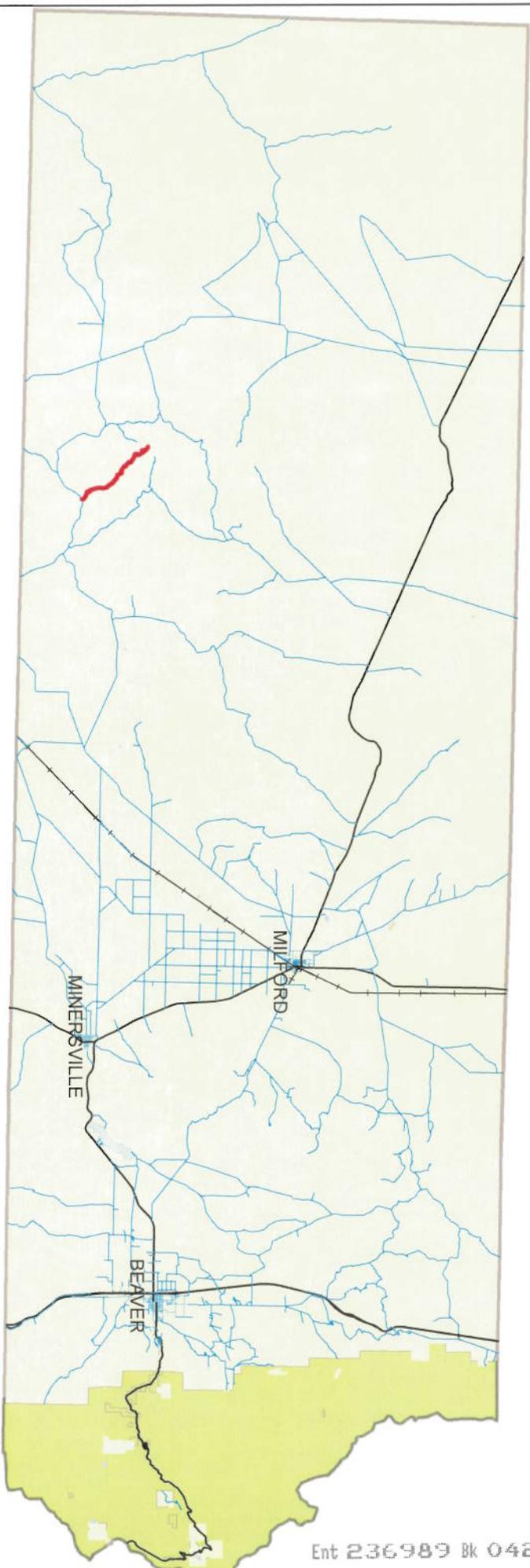


  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS



Ent 236989 Bk 0423 Pg 0795



## BLAWN MOUNTAIN ROAD B-137

**Legend**

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

**AFFIDAVIT OF RUSSELL ALBRECHT**

**BLAWN MOUNTAIN ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-137**

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 Blawn Mountain 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 Blawn Mountain 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, weather permitting.

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

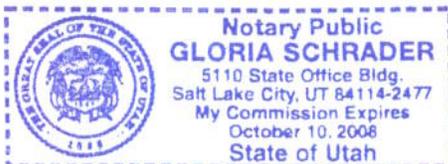
6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus prospecting for minerals, mining and tourism . It is also the reputation in the community that 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.

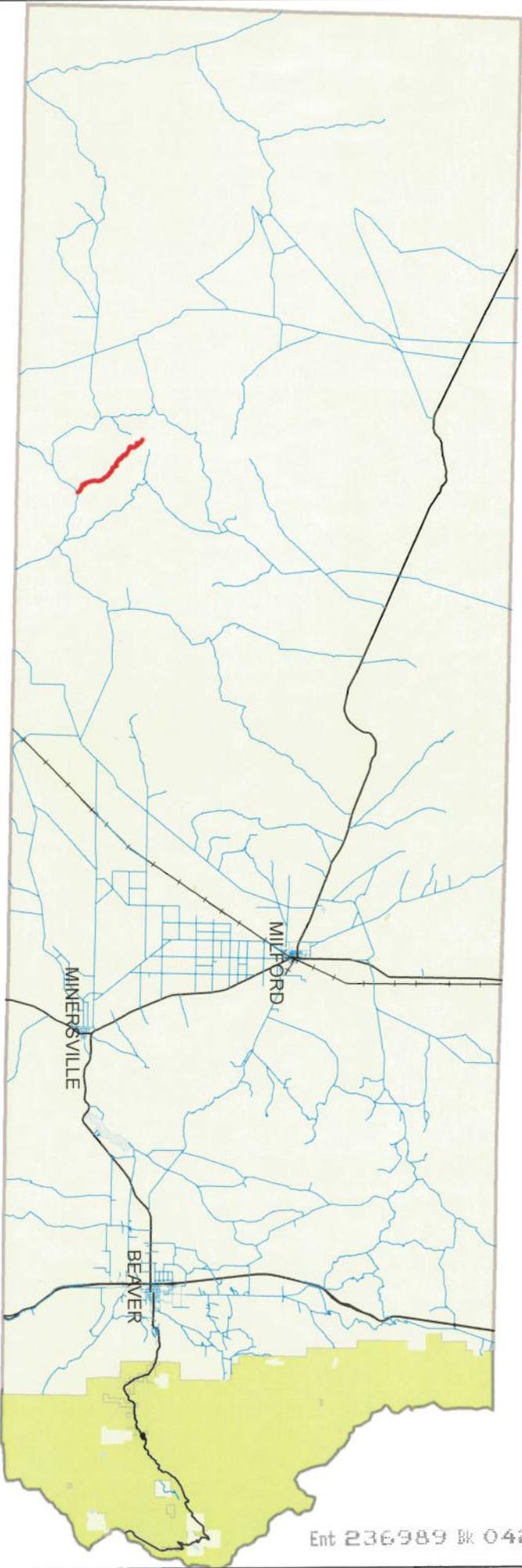


  
\_\_\_\_\_  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS



Ent 236989 Bk 0423 Pg 0798



## BLAWN MOUNTAIN ROAD B-137

**Legend**

- Blawn Mtn Road
- County B Roads
- State Highways
- UPRR

## Exhibit B

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

**Popular Name: BLAWN MOUNTAIN ROAD**

**County: Beaver**

**County Road Number: B-137**

**State Geographic Information Database (SGID) Road Identification Number: RD010037.**

**Total Road Length: 6.15 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 12 minutes 00.38 seconds North Latitude and -113 degrees 31 minutes 03.72 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,060,629.9 feet and Y = 10,407,120.0 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 15 minutes 19.56 seconds North Latitude and -113 degrees 34 minutes 38.25 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,043,956.6 feet and Y = 10,427,638.5 feet based on the US Survey Foot conversion.

This road may traverse:

Township 29 South Range 15 West, Section(s) 30,31,32, Salt Lake Base & Meridian

Township 30 South Range 15 West, Section(s) 4,5,9,15,16, Salt Lake Base & Meridian