



## Exhibit A

**AFFIDAVIT OF ROBERT MERRYWEATHER**

**INDIAN PEAK WMA ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-156**

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 Indian Peak WMA 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 Indian Peak WMA 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.

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

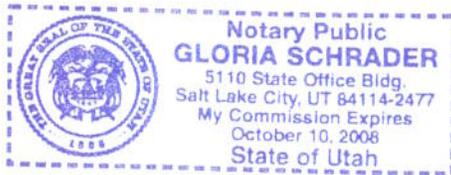
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 1 day of February, 2007.

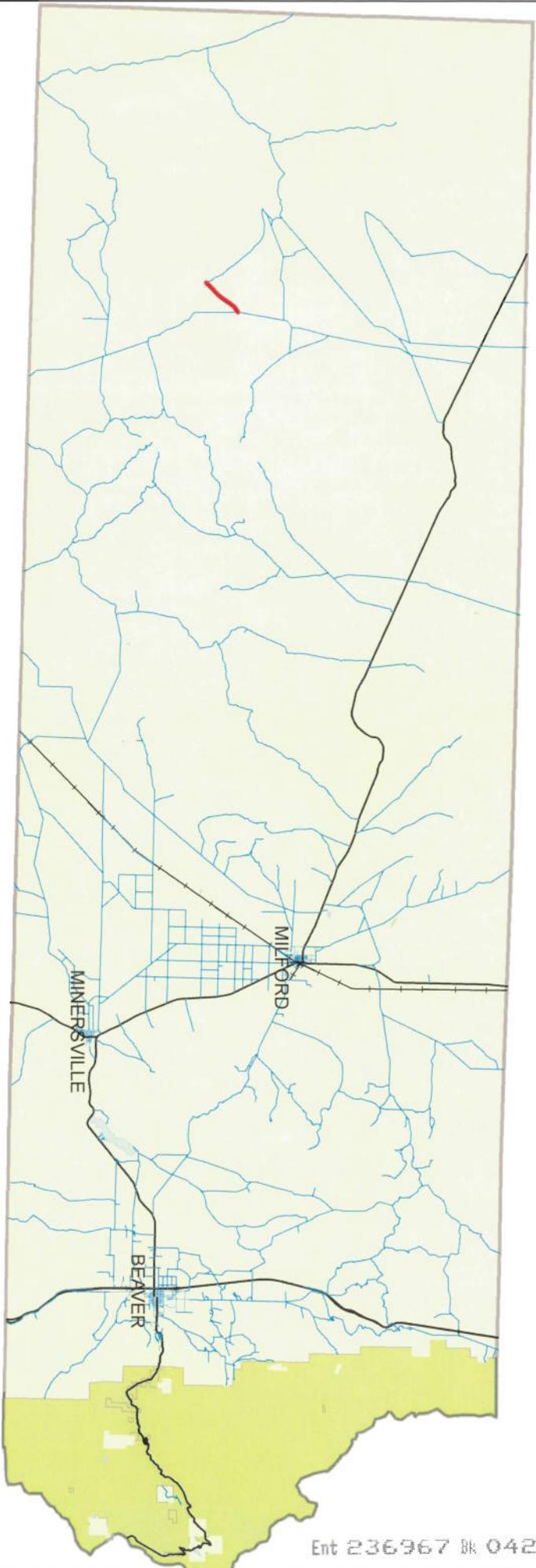
  
ROBERT MERRYWEATHER

SUBSCRIBED AND SWORN to before me this 1<sup>st</sup> day of February, 2007.



  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS



Ent 236967 Bk 0423 Pg 0597

## Legend

- Indian Peak road
- County B Roads
- State Highways
- UPRR

INDIAN PEAK 'WILDLIFE  
MANAGEMENT AREA' ROAD  
B-156

**AFFIDAVIT OF DALE EYRE**  
**INDIAN PEAK WMA ROAD**  
**BEAVER COUNTY, UTAH**  
**ROAD NUMBER B-156**

State of Utah                    )  
  : ss.  
County of Beaver                )

DALE EYRE, 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 Indian Peak WMA Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1960, it followed the same route as in 2006 when I last observed it. Attached is a Beaver County map showing Indian Peak WMA 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 1960 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by means of ATVs, pickup trucks. Throughout the time period from 1960 to 2006 the road has been used weekly, weather permitting.

5. Throughout the time period from 1960 to 2006, I have used the road myself for livestock operations, hunting, wood gathering and gathering pine nuts.

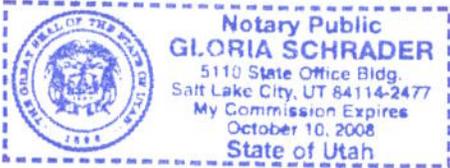
6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus recreation, sight seeing and travel in and through the area. It is also the reputation in the 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 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 31 day of January, 2007.

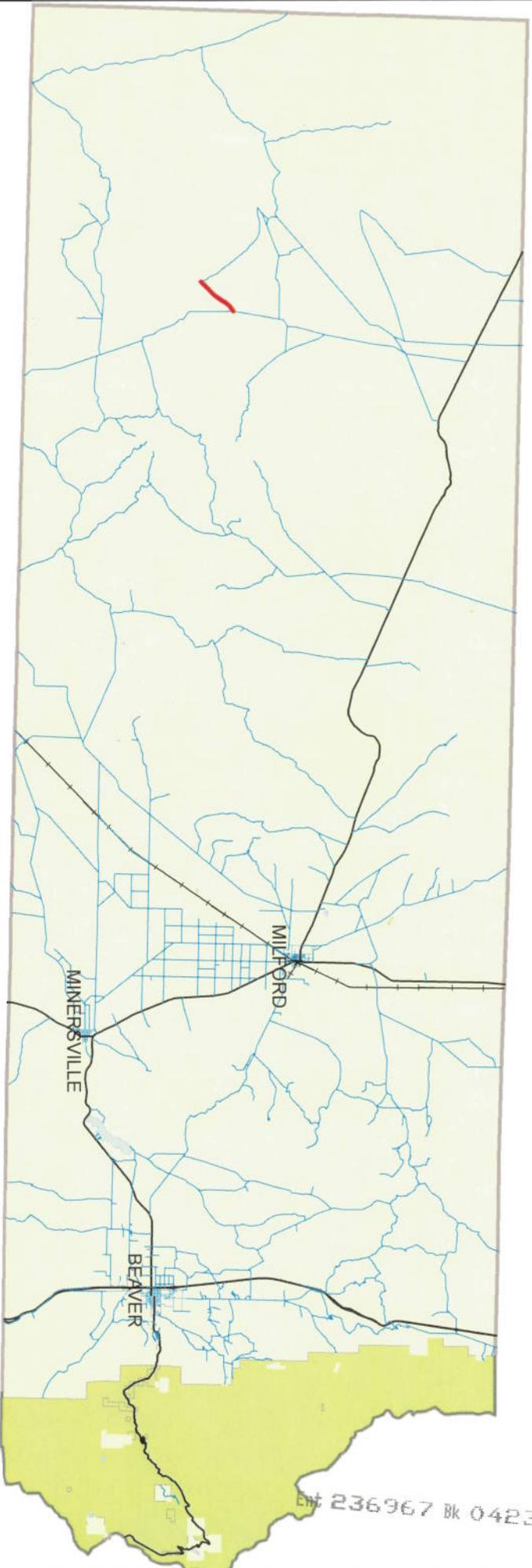
*Dale Eyre*  
DALE EYRE

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



*Gloria Schrader*  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS



Ent 236967 Bk 0423 Pg 0600

## Legend

- Indian Peak road
- County B Roads
- State Highways
- UPRR

INDIAN PEAK 'WILDLIFE  
MANAGEMENT AREA' ROAD  
B-156

## Exhibit B

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

**Popular Name: INDIAN PEAK WMA ROAD**

**County: Beaver**

**County Road Number: B-156**

**State Geographic Information Database (SGID) Road Identification Number: RD010057.**

**Total Road Length: 2.6 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 17 minutes 54.99 seconds North Latitude and -113 degrees 45 minutes 11.08 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 993,871.2 feet and Y = 10,444,525.2 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 19 minutes 036.4 seconds North Latitude and -113 degrees 43 minutes 19.01 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,003,046.0 feet and Y = 10,454,567.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 28 South Range 17 West, Section(s) 35, Salt Lake Base & Meridian

Township 29 South Range 17 West, Section(s) 3,9,10, Salt Lake Base & Meridian