



## Exhibit A

**AFFIDAVIT OF DEAN CARTER**  
**5300 SOUTH MILFORD FLAT ROAD**  
**BEAVER COUNTY, UTAH**  
**ROAD NUMBER B-221**

State of Utah                    )  
  : ss.  
County of Beaver                )

DEAN CARTER, 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 5300 South Milford Flat Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1942, it followed the same route as in 2007 when I last observed it. Attached is a Beaver County map showing 5300 South Milford 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 1942 and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by means of trucks. Throughout the time period from 1942 to 1976 the road was used daily and is presently used daily.

5. Throughout the time period from 1942 to 2007, 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 traveling in and through the area, residential access, recreation and sightseeing.

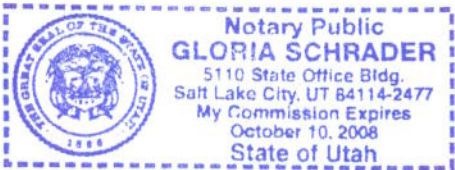
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 31 day of January, 2007.

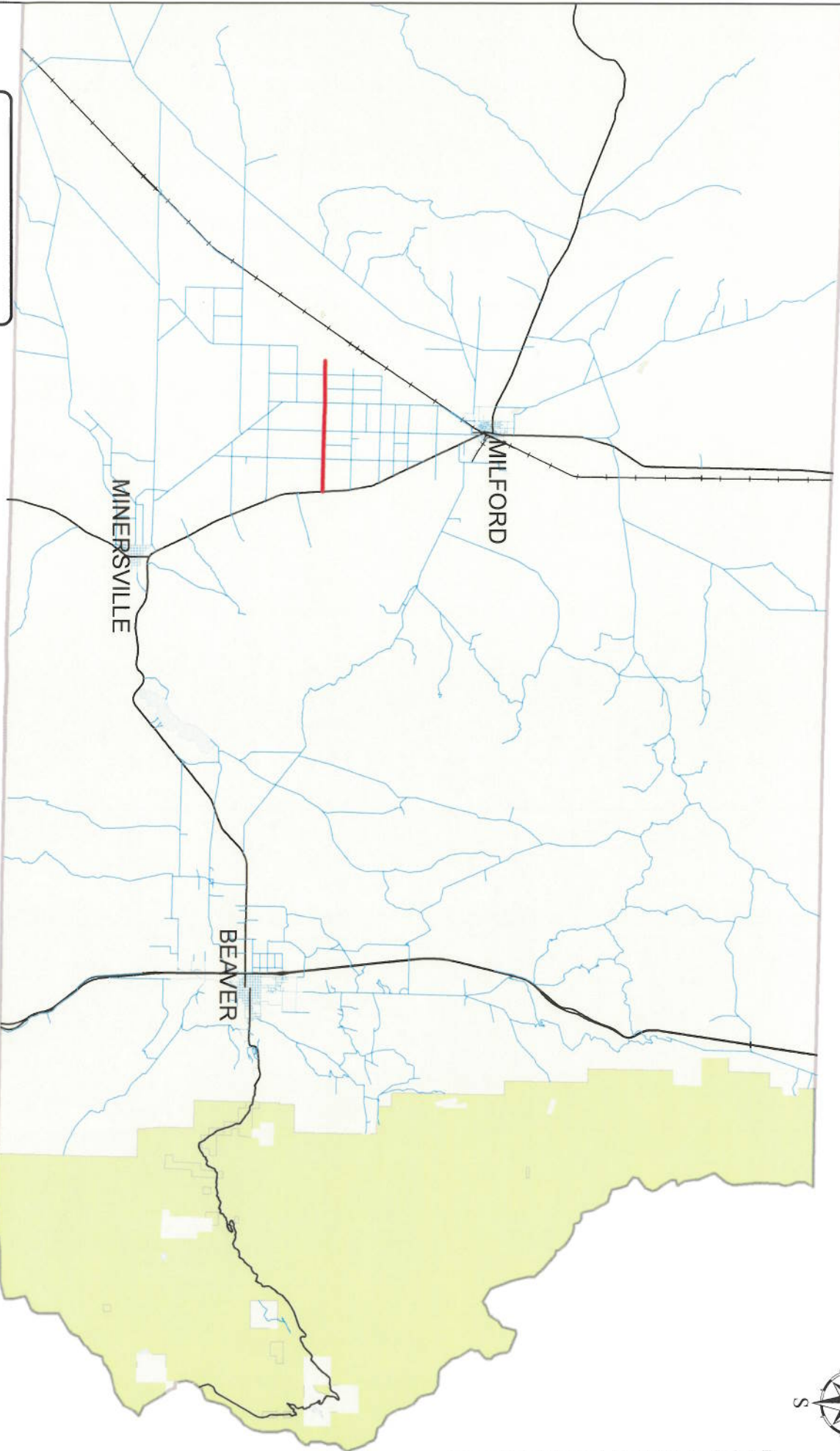
  
DEAN CARTER

SUBSCRIBED AND SWORN to before me this 31st day of January, 2007.



  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS

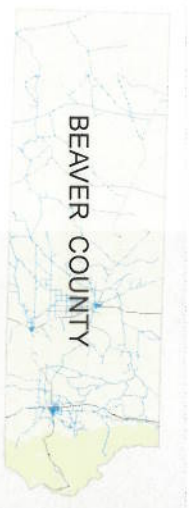


**Legend**

- 5300 South
- County B Roads
- State Highways
- UPRR

**5300 SOUTH  
B-221**

MAP VIEW AREA



**AFFIDAVIT OF RUSSELL MAYER**

**5300 SOUTH MILFORD FLAT**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-122**

State of Utah                    )  
  : ss.  
County of Beaver                )

RUSSELL MAYER, 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 since 1948.

2. I have traveled and am familiar with a road in Beaver County known as 5300 South Milford Flat. I am also familiar with the land the road traverses. When I first used and observed the road in 1948, it followed the same route as in 2007 when I last observed it. Attached is a Beaver County map showing 5300 South Milford Flat. 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 1948 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by means of cars, trucks and trailers. Throughout the time period from 1948 to 2007 the road was used daily.

5. Throughout the time period from 1948 to 2007, I have used the road myself for farming and residential access.

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

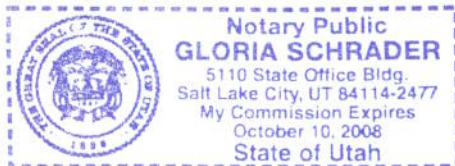
other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus livestock operations and travel in and through the area. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1948 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 30 day of January, 2007.

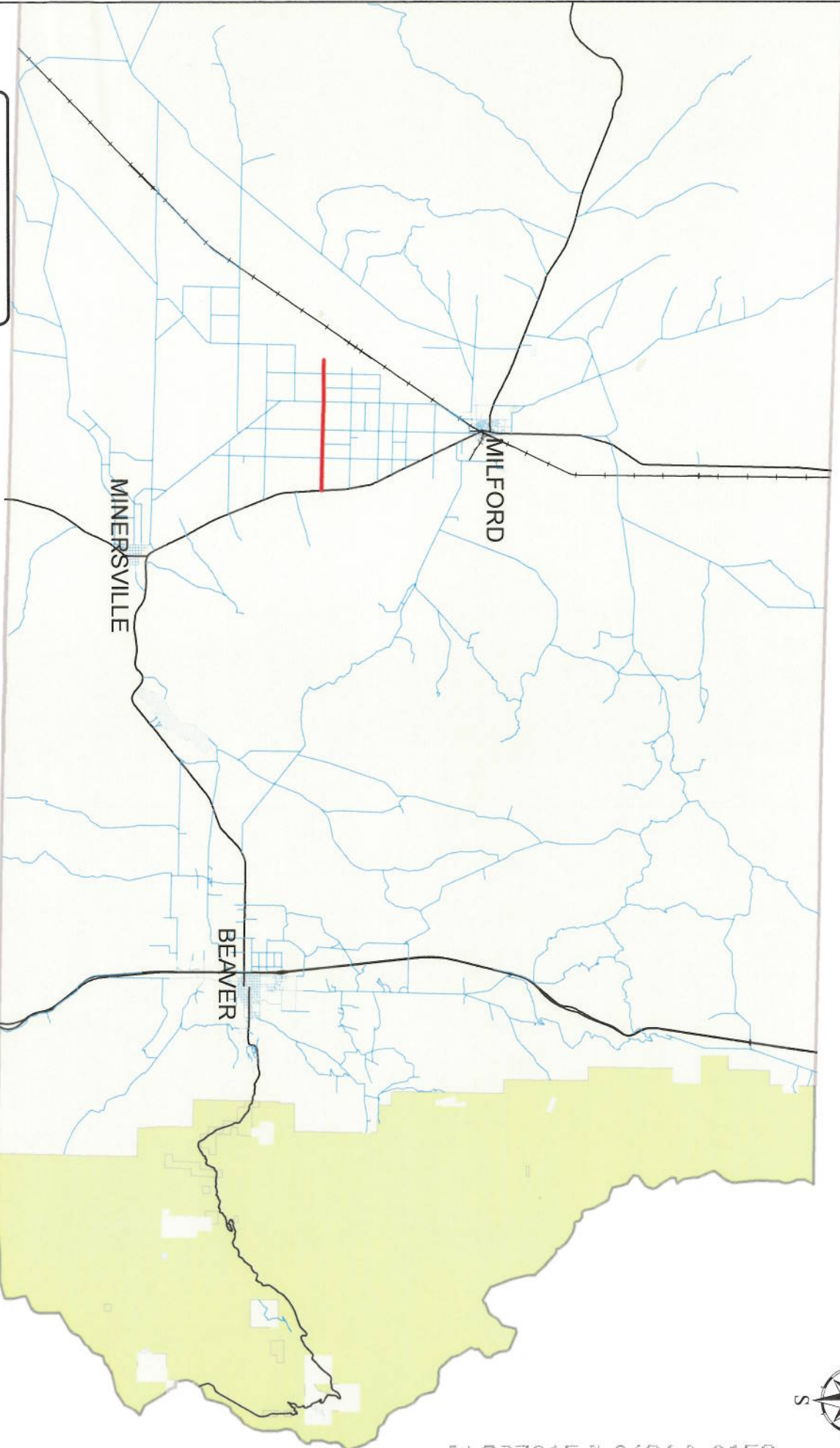
  
\_\_\_\_\_  
RUSSELL MAYER

SUBSCRIBED AND SWORN to before me this 30<sup>th</sup> day of January, 2007.



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

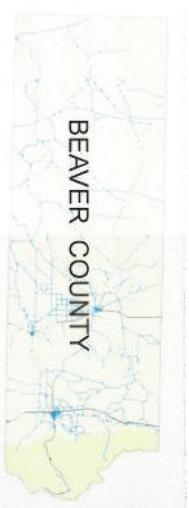
# BEAVER COUNTY "B" ROADS



**Legend**

- 5300 South
- County B Roads
- State Highways
- UPRR

5300 SOUTH  
B-221





## Exhibit B

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

**Popular Name: 5300 SOUTH (MILFORD FLAT)**

**County: Beaver**

**County Road Number: B-221**

**State Geographic Information Database (SGID) Road Identification Number: RD010088.**

**Total Road Length: 2.18 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 18 minutes 34.59 seconds North Latitude and -113 degrees 00 minutes 35.85 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,207,159.3 feet and Y = 10,444,240.4 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 18 minutes 34.28 seconds North Latitude and -112 degrees 58 minutes 11.21 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,218,685.5 feet and Y = 10,444,025.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 29 South Range 10 West, Section(s) 3,4,5,9, Salt Lake Base & Meridian