



## Exhibit A

**AFFIDAVIT OF ROBERT MERRYWEATHER**

**PASS ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-3**

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 Pass 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 Pass 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 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, prospecting for minerals, government access and wood gathering.

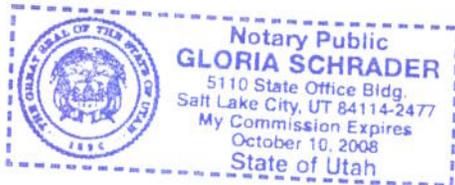
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

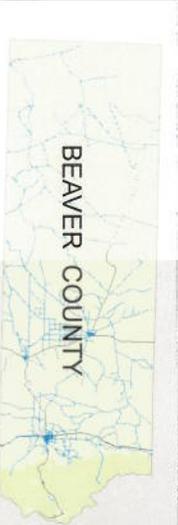
# BEAVER COUNTY "B" ROADS



**Legend**

- Pass Road (Red line)
- County B Roads (Blue line)
- State Highways (Black line)

**PASS ROAD  
B-3**



**AFFIDAVIT OF S. K. NOWERS**

**PASS ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-3**

State of Utah                    )  
  : ss.  
County of Beaver                )

S. K. NOWERS, 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 Beaver, Beaver County, Utah. I have lived in Beaver County my entire life. I was employed by the Beaver County Road Department from the 1960s to the 1990s.

2. I have traveled and am familiar with a road in Beaver County known as Pass Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1930s, it followed the same route as in 2006 when I last observed it. Attached is a Beaver County map showing Pass 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 the late 1930s and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by means of cars, trucks. Throughout the time period from the late 1930s to 2006 the road was used daily.

5. Throughout the time period from the late 1930s to 2006, I have used the road myself for hunting, recreation, travel in and through the area and county road maintenance.

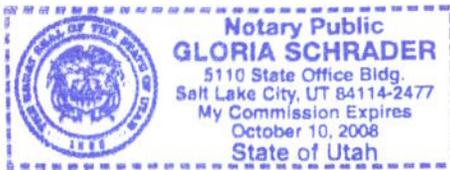
6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus livestock operations and wood gathering. It is also the reputation in the community that this 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 late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 31 day of January, 2007.

  
\_\_\_\_\_  
S. K. NOWERS

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



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

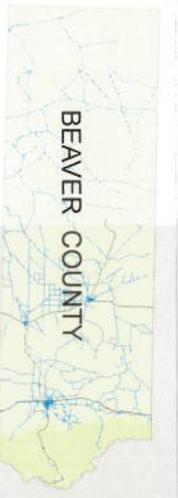
# BEAVER COUNTY "B" ROADS



**Legend**

- Pass Road (Red line)
- County B Roads (Blue line)
- State Highways (Black line)

**PASS ROAD  
B-3**



## Exhibit B

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

**Popular Name: PASS ROAD**

**County: Beaver**

**County Road Number: B-3**

**State Geographic Information Database (SGID) Road Identification Number: RD010114.**

**Total Road Length: 17.98 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 22 minutes 57.28 seconds North Latitude and -112 degrees 59 minutes 28.06 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,212,985.4 feet and Y = 10,470,724.2 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 16 minutes 19.48 seconds North Latitude and -112 degrees 43 minutes 47.06 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,287,378.6 feet and Y = 10,429,395.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 28 South Range 10 West, Section(s) 9,13,14,15,16,24, Salt Lake Base & Meridian  
Township 28 South Range 9 West, Section(s) 19,20,28,29,33,34, Salt Lake Base & Meridian  
Township 29 South Range 8 West, Section(s) 7,8,16,17,21,22,23, Salt Lake Base & Meridian  
Township 29 South Range 9 West, Section(s) 2,3,11,12, Salt Lake Base & Meridian