

Exhibit A

00574699

B: 1138 P: 1778 Fee \$0.00
Patsy Cutler, Iron County Recorder Page 2 of 9
06/30/2008 10:12:48 AM By GOVERNOR/STATE OF UTAH



AFFIDAVIT OF LYNN FIACK

BEAR VALLEY ROAD

IRON COUNTY, UTAH

ROAD NUMBER 4

State of Utah)
 : ss.
County of Iron)

LYNN FIACK, 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 Iron County, Utah. I have lived in Iron County since 1942. I was an employee of the Iron County Road Department from 1963 to 1987 and served as the Road Foreman from 1974 to 1987. I participated in the maintenance of the above referenced road during that time.

2. I have traveled and am familiar with a road in Iron County known as Bear Valley Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950s, it followed the same route as in 2001 when I last observed it. Attached is a Iron County map showing Bear Valley 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 early 1950s and continuing through 1976 to 2001. Throughout this time period I have observed travel on the road by means of pickup trucks, cars, trucks and road maintenance vehicles. Throughout this time period, the road has been used daily, weather permitting.

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5. Throughout the time period from the early 1950s to 2001, I have used the road myself for road maintenance, hunting and traveling in and through the area.

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, farming and traveling in and through the area.

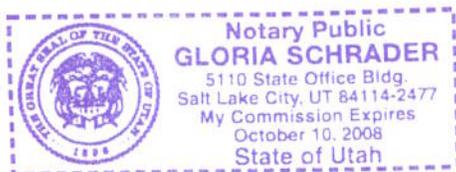
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 20 day of December, 2006.


LYNN EACK

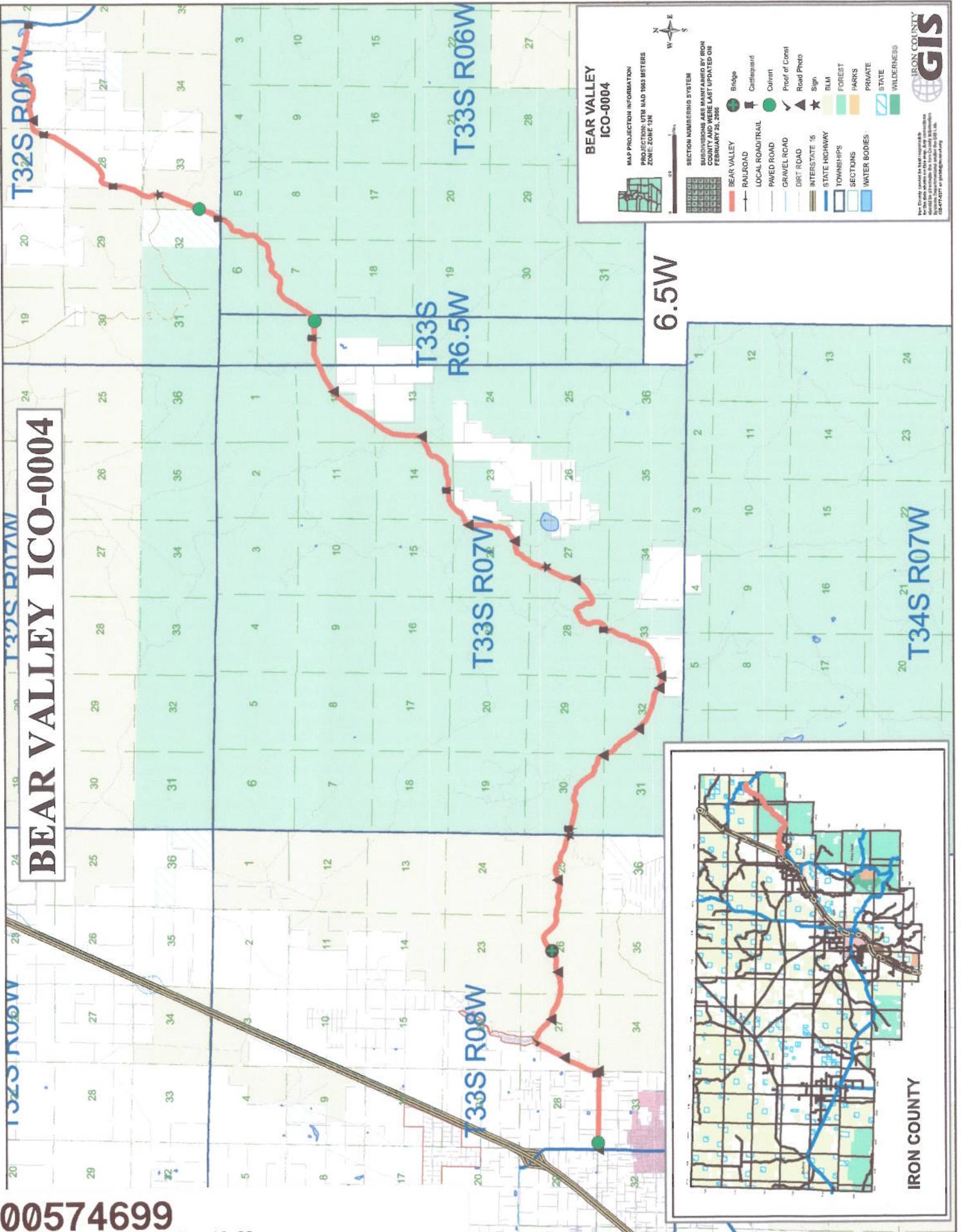
SUBSCRIBED AND SWORN to before me this 20th day of December, 2006.




NOTARY PUBLIC

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BEAR VALLEY ICO-0004

**BEAR VALLEY
ICO-0004**

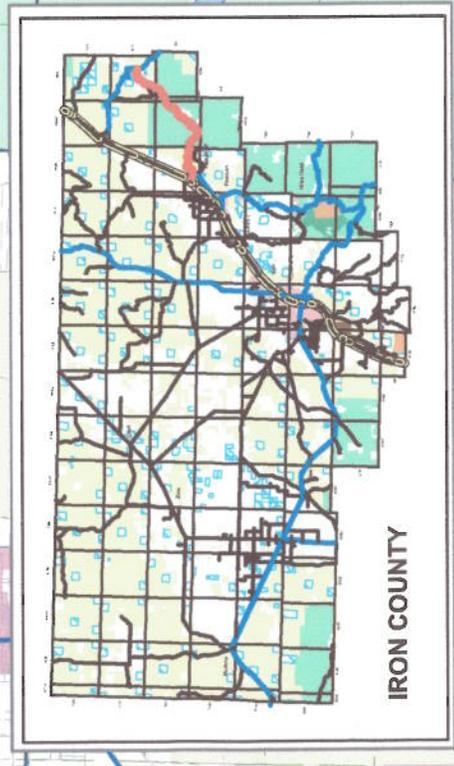
MAP PROJECTION INFORMATION
PROJECTION: NAD 83 UTM
ZONE: 12N

SECTION NUMBERING SYSTEM
SECTION NUMBERS ARE THE SAME AS IN IRON COUNTY AND WERE LAST UPDATED ON FEBRUARY 25, 2006

LEGEND:

- BEAR VALLEY
- RAILROAD
- LOCAL ROAD/TRAIL
- PAVED ROAD
- GRAVEL ROAD
- DIRT ROAD
- INTERSTATE 'S
- STATE HIGHWAY
- TOWNSHIPS
- SECTIONS
- WATER BODIES
- BRIDGE
- CATTLEGARD
- CULVERT
- POLE OF CROSS
- ROAD PHOTO
- SIGN
- BLM
- FOREST
- PARKS
- PRIVATE
- STATE
- WILDERNESS

IRON COUNTY
GIS



00574699



AFFIDAVIT OF NEIL JAMIESON FORSYTH
BEAR VALLEY ROAD
IRON COUNTY, UTAH
ROAD NUMBER 4

State of Utah)
 : ss.
County of Iron)

NEIL JAMIESON FORSYTH, 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 Iron County, Utah. I have lived in Iron County since 1954. I am an employee of the Iron County Road Department and have been since August of 1974. I have been the Road Foreman since July of 1987. I have participated in the maintenance of the above referenced road throughout the time period of my employment.

2. I have traveled and am familiar with a road in Iron County known as Bear Valley Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1970s, it followed the same route as in 2006 when I last observed it. Attached is a Iron County map showing Bear Valley 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 early 1970s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by means of cars, pickup trucks and road maintenance vehicles. Throughout this time period, the road has been used daily.

5. Throughout the time period from the early 1970s to the present, I have used the road myself for 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, prospecting for minerals, hunting, recreation, government access and traveling in and through the area.

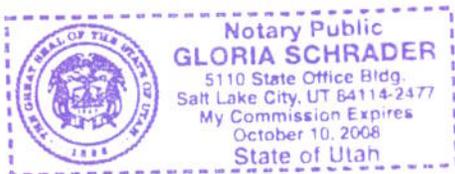
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 20th day of December, 2006.


NEIL JAMESON FORSYTH

SUBSCRIBED AND SWORN to before me this 20th day of December, 2006.



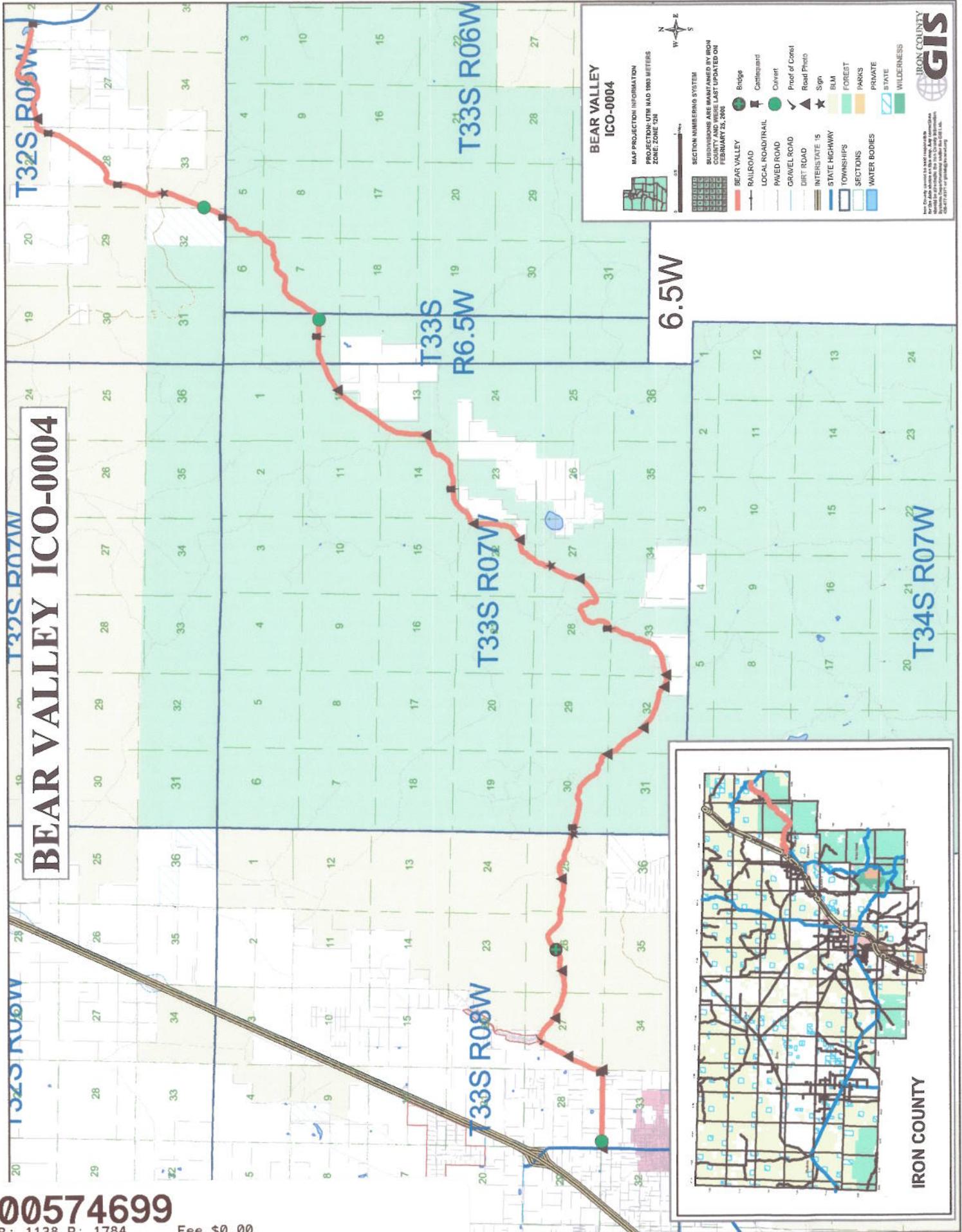

NOTARY PUBLIC

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BEAR VALLEY ICO-0004



BEAR VALLEY ICO-0004

MAP PROJECTION INFORMATION
 PROJECTION: UTM MAD 1983 METERS
 ZONE: 12N

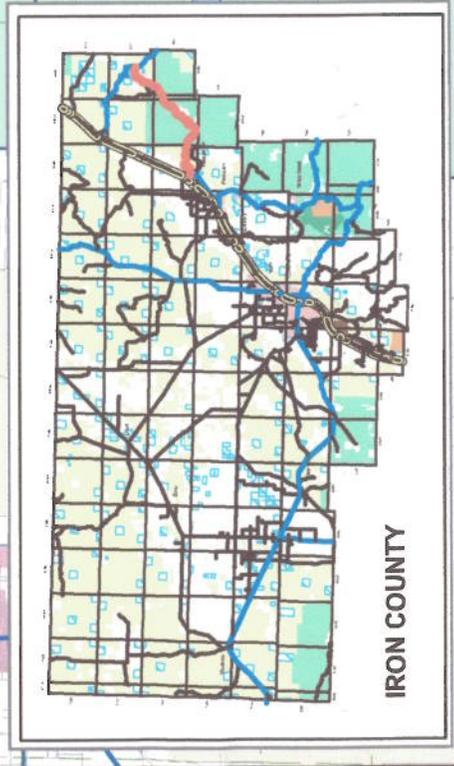
SECTION NUMBERING SYSTEM
 SUBDIVISION AREAS SHOWN IN IRON COUNTY AND STATE OF UTAH ARE LAST UPDATED ON FEBRUARY 25, 2008

LEGEND:

- BEAR VALLEY
- RAILROAD
- LOCAL ROAD/TRAIL
- PAVED ROAD
- GRVEL ROAD
- DIRT ROAD
- INTERSTATE 15
- STATE HIGHWAY
- TOWNSHIPS
- SECTIONS
- WATER BODIES
- Bridge
- Cattleguard
- Convent
- Proof of Convent
- Read Photo
- Sign
- BLM
- FOREST
- PARKS
- PRIVATE
- STATE
- WILDERNESS

IRON COUNTY GIS

Map of Utah showing the location of Iron County. Iron County is highlighted in red. The map is titled "IRON COUNTY GIS".



00574699



Exhibit B

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

Popular Name: BEAR VALLEY ROAD

County: Iron

County Road Number: 4

State Geographic Information Database (SGID) Road Identification Number: RD110004.

Total Road Length: 21.44 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 53 minutes 49.05 seconds North Latitude and -112 degrees 46 minutes 29.56 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,272,558.0 feet and Y = 10,292,980.9 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 00 minutes 24.37 seconds North Latitude and -112 degrees 30 minutes 39.76 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,349,114.6 feet and Y = 10,332,035.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 32 South Range 6 West, Section(s) 21,22,23,28,32,33, Salt Lake Base & Meridian

Township 33 South Range 6.5 West, Section(s) 12, Salt Lake Base & Meridian

Township 33 South Range 6 West, Section(s) 5,6,7, Salt Lake Base & Meridian

Township 33 South Range 7 West, 1423, Salt Lake Base & Meridian

Township 33 South Range 7 West, Section(s) 12,13,14,22,23,27,28,30,31,32,33, Salt Lake Base & Meridian

Township 33 South Range 8 West, Section(s) 25,26,27,28,32,33, Salt Lake Base & Meridian

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