



**Exhibit A**

**00574703**

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Patsy Cutler, Iron County Recorder  
06/30/2008 10:12:48 AM By GOVERNOR/STATE OF UTAH



**AFFIDAVIT OF LYNN FIACK**

**PINE VALLEY ROAD**

**IRON COUNTY, UTAH**

**ROAD NUMBER 11**

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 Pine Valley Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1940s, it followed the same route as in 2005 when I last observed it. Attached is a Iron County map showing Pine 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 late 1940s and continuing through 1976 to 2005. Throughout this time period I have observed travel on the road by means of pickup trucks, cars, road maintenance vehicles and trucks. Throughout this time period, the road has been used daily.

**00574703**

5. Throughout the time period from the late 1940s to 2005, I have used the road myself for hunting, gathering pine nuts, road maintenance and travel in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed vehicles from the general public using the road at various times for livestock operations, and traveling in and through the area.

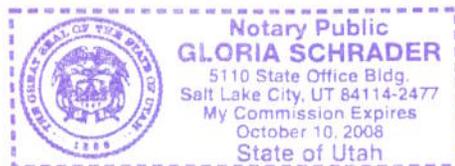
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 21 day of December, 2006.

  
LYNN FIACK

SUBSCRIBED AND SWORN to before me this 21<sup>st</sup> day of December, 2006.



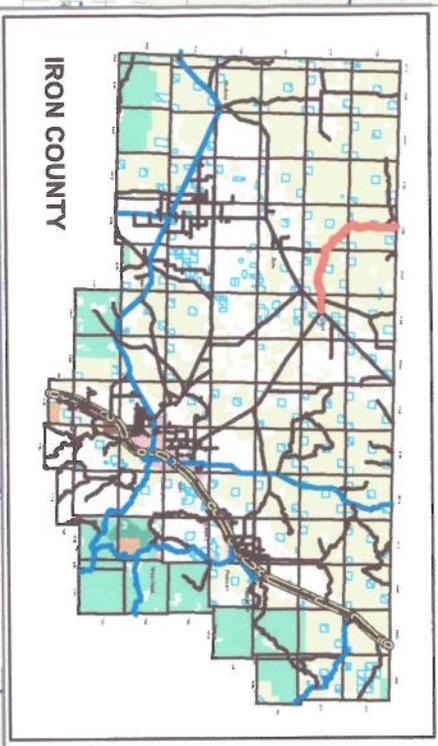
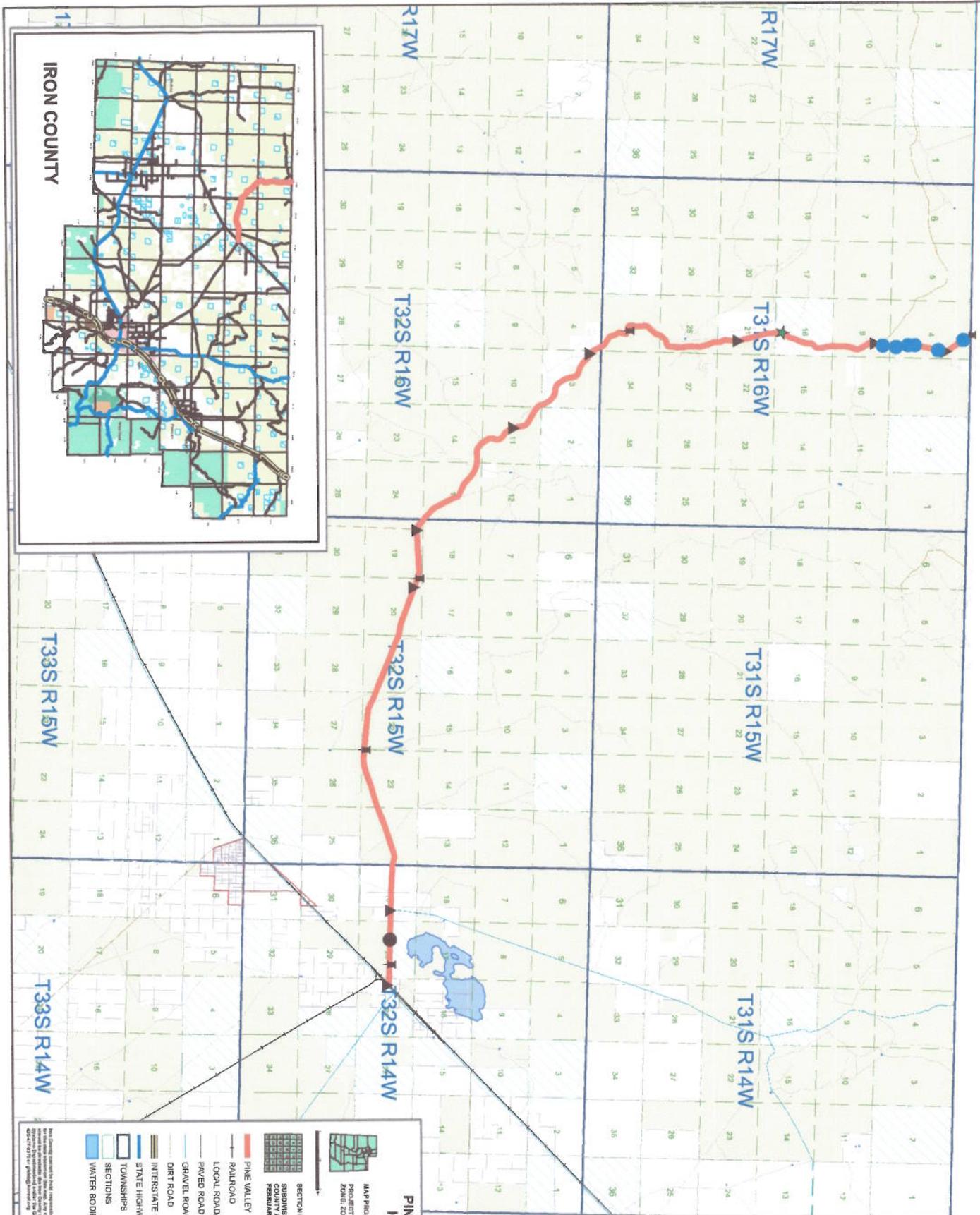
  
NOTARY PUBLIC

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# PINE VALLEY ICO-0011



**PINE VALLEY**  
ICO-0011

**SECTION NUMBERING SYSTEM**

**IRON COUNTY GIS**

**LEGEND**

- RAILROAD** (Black line with cross-ticks)
- LOCAL ROAD/TRAIL** (Red line)
- GRAVEL ROAD** (Blue line)
- DIRT ROAD** (Green line)
- INTERSTATE 15** (Thick blue line)
- STATE HIGHWAY** (Yellow line)
- TOWNSHIPS** (Blue outline)
- SECTIONS** (Thin black outline)
- WATER BODIES** (Blue fill)
- WILDERNESS** (Green fill)
- BLM** (Green fill)
- FOREST** (Green fill)
- PARKS** (Green fill)
- PRIVATE** (Green fill)
- STATE** (Green fill)
- WILDERNESS** (Green fill)
- Water** (Blue fill)
- Canal** (Blue line)
- Drainage Canal** (Blue line)
- Sign** (Black triangle)
- Road Photo** (Black triangle)
- Well** (Black circle)
- Cartilage** (Black circle)
- Wellhead** (Black circle)

**IRON COUNTY GIS**

**IRON COUNTY GIS**

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Patsy Cutler, Iron County Recorder

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**AFFIDAVIT OF NEIL JAMIESON FORSYTH**

**PINE VALLEY ROAD**

**IRON COUNTY, UTAH**

**ROAD NUMBER 11**

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 Pine Valley Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in 2006 when I last observed it. Attached is a Iron County map showing Pine 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 1960s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by means of pickup 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 1960s to the present, I have used the road myself for hunting, livestock operations and 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 recreation, government access and traveling in and through the area.

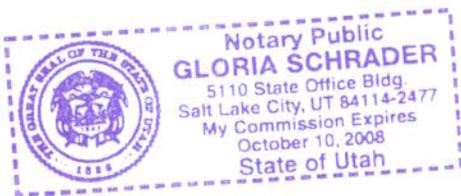
7. It is also the reputation in the community that this road has been open o the public for all to use, to come and go as they pleased, since at least as early as the 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

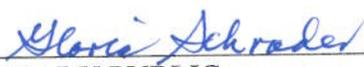
8. Prior to 1976, I observed maintenance and construction activities on the road.

DATED this 20th day of December, 2006.

  
NEIL JAMIESON FORSYTH

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



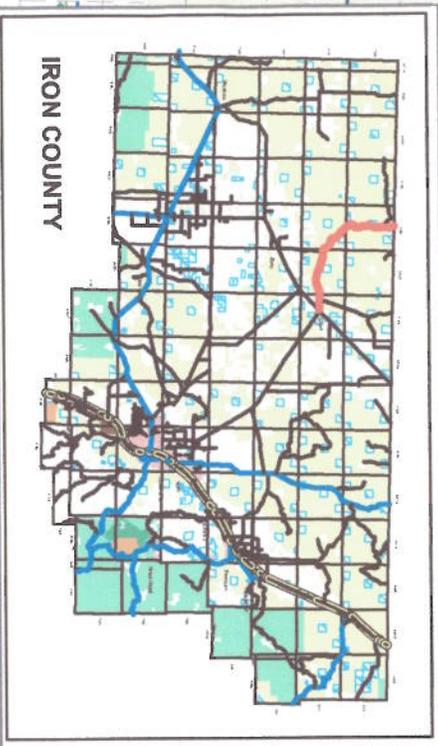
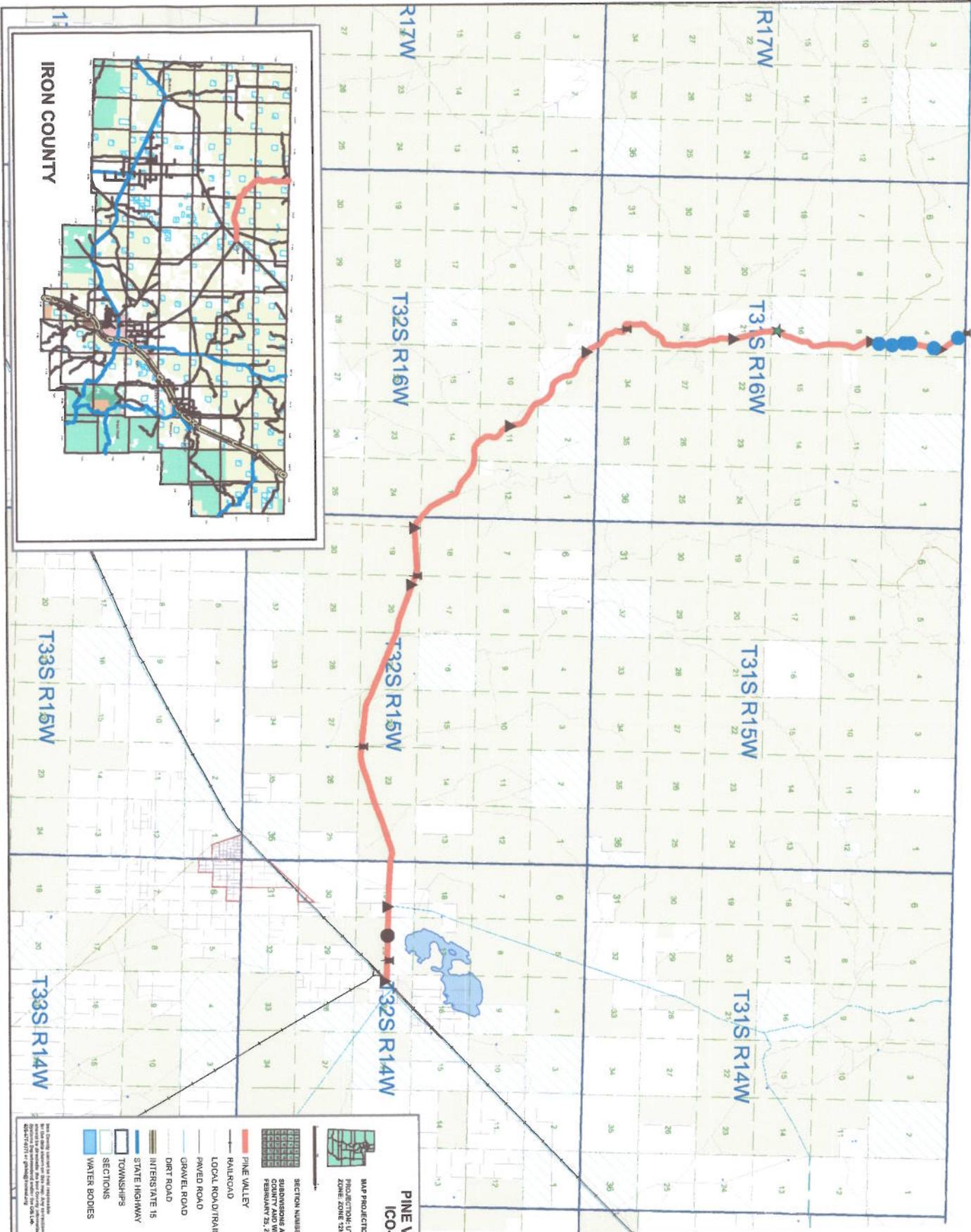
  
NOTARY PUBLIC

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# PINE VALLEY ICO-0011



**PINE VALLEY**  
ICO-0011

MAP PROJECTION INFORMATION:  
PROJECTOR: UTM MGR 8083 METERS  
ZONE: 12N

SECTION NUMBERING SYSTEM  
SUBDIVISIONS ARE MAINTAINED BY ROOM  
RECORDS AND PLATS ON  
FEBRUARY 28, 2008

	PINE VALLEY		Callibouland
	RAILROAD		Culvert
	LOCAL ROAD/TRAIL		Drainage Runout
	PAVED ROAD		Road Right-of-Way
	GRAVEL ROAD		Sign
	DIRT ROAD		BLM
	INTERSTATE 15		FOREST
	STATE HIGHWAY		PARKS
	TOWNSHIPS		PRIVATE
	SECTIONS		STATE
	WATER BODIES		WILDERNESS

IRON COUNTY GIS

**00574703**



## Exhibit B

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

**Popular Name: PINE VALLEY ROAD**

**County: Iron**

**County Road Number: 11**

**State Geographic Information Database (SGID) Road Identification Number: RD110011.**

**Total Road Length: 20.08 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 08 minutes 54.79 seconds North Latitude and -113 degrees 38 minutes 43.82 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,023,480.6 feet and Y = 10,389,167.9 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 00 minutes 20.91 seconds North Latitude and -113 degrees 26 minutes 02.58 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,083,200.5 feet and Y = 10,335,872.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 31 South Range 16 West, Section(s) 4,9,16,21,28,33, Salt Lake Base & Meridian  
Township 32 South Range 14 West, Section(s) 19,20,21, Salt Lake Base & Meridian  
Township 32 South Range 15 West, Section(s) 18,19,20,21,22,23,24, Salt Lake Base & Meridian  
Township 32 South Range 16 West, Section(s) 3,4,10,11,13,14, Salt Lake Base & Meridian

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