

Exhibit A

00574709

B: 1139 P: 11 Fee \$0.00 Page 2 of 9
Patsy Cutler, Iron County Recorder
06/30/2008 10:17:16 AM By GOVERNOR/STATE OF UTAH



AFFIDAVIT OF LYNN FIACK
FREMONT CANYON ROAD
IRON COUNTY, UTAH
ROAD NUMBER 21

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 Fremont Canyon 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 1987 when I last observed it. Attached is a Iron County map showing Fremont Canyon 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 1987. 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 weekly.

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5. Throughout the time period from the early 1960s to 1987, I have used the road myself for 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, gravel operations, utility access, 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.

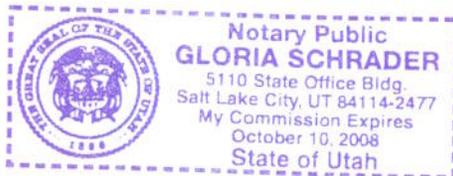
8. Prior to 1976, I performed and observed maintenance and construction activities on the road.

DATED this 20 day of December, 2006.


LYNN FIACK

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


NOTARY PUBLIC



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FREMONT CANYON ICO-0021

T31S R06W

**FREMONT CANYON
ICO-0021**

MAP PROJECTION INFORMATION
 PROJECTION: UTM MGRS 18Q3 METERS
 ZONE: ZONE 12N

SECTION NUMBERING SYSTEM
 SUBDIVISIONS ARE MAINTAINED BY IRON COUNTY AND WERE LAST UPDATED ON FEBRUARY 25, 2006

IRON COUNTY GIS

Map Legend:

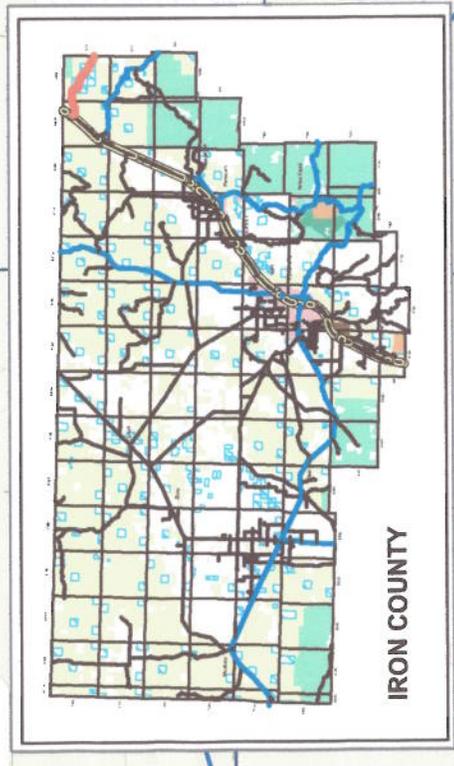
- Cattlequard
- Road Photo
- FREMONT CANYON
- RAILROAD
- LOCAL ROAD/TRAIL
- PAVED ROAD
- GRAVEL ROAD
- DIRT ROAD
- INTERSTATE 15
- STATE HIGHWAY
- TOWNSHIPS
- SECTIONS
- WATER BODIES
- BLM
- FOREST
- PARKS
- PRIVATE
- STATE
- WILDERNESS

Scale: 0 100 200 Feet

North Arrow

Scale: 0 100 200 Meters

Disclaimer: No County roads are highlighted. No state roads are highlighted. All other roads are shown. Iron County GIS is not responsible for any errors or omissions. All rights reserved.



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AFFIDAVIT OF NEIL JAMIESON FORSYTH

FREEMONT CANYON ROAD

IRON COUNTY, UTAH

ROAD NUMBER 21

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 Freemont Canyon 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 Freemont Canyon 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 pickup trucks and road maintenance vehicles. Throughout this time period, the road has been used weekly.

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

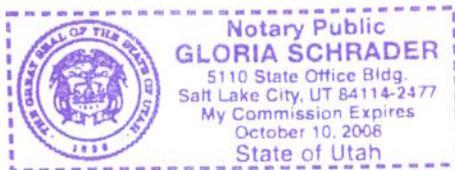
7. It is also the reputation in the community that this road has been open o the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 20th day of December, 2006.


NEIL JAMESON FORSYTH

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



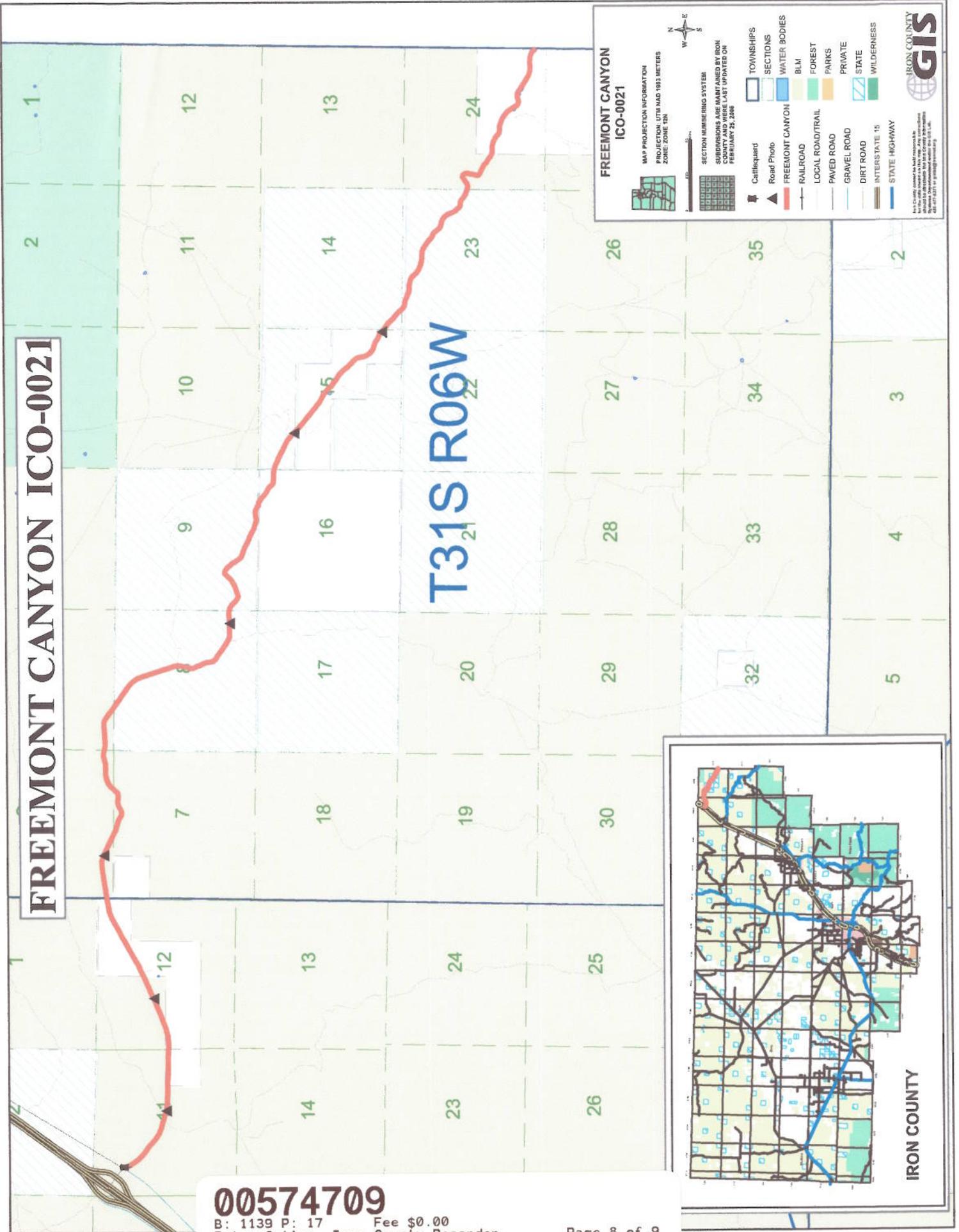

NOTARY PUBLIC

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FREMONT CANYON ICO-0021

T31S R06W



**FREMONT CANYON
ICO-0021**

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

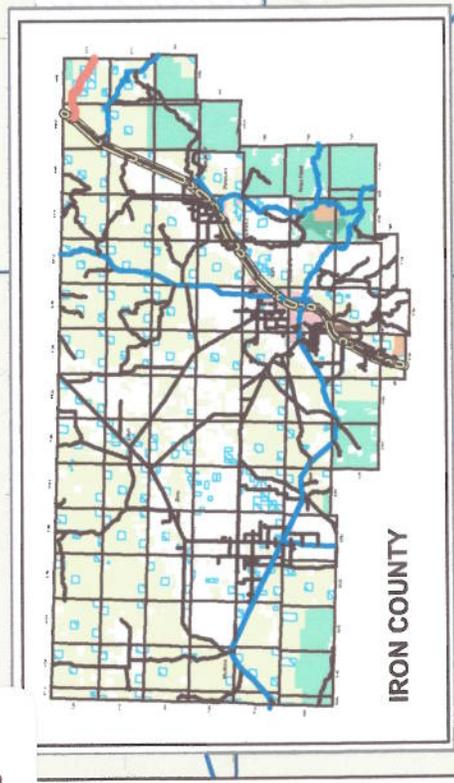
SECTION NUMBERING SYSTEM
SUBDIVISIONS ARE MAINTAINED BY IRON COUNTY AND WERE LAST UPDATED ON FEBRUARY 25, 2006

Legend:

- Cattlequart
- Road Photo
- RAILROAD
- PAVED ROAD
- GRAVEL ROAD
- DIRT ROAD
- INTERSTATE 15
- STATE HIGHWAY
- TOWNSHIPS
- SECTIONS
- WATER BODIES
- BLM
- FOREST
- PARKS
- PRIVATE
- STATE
- WILDERNESS

IRON COUNTY
GIS

Not to Scale. Symbols are not guaranteed to be accurate. Iron County GIS is not responsible for any errors or omissions. Iron County GIS is not responsible for any damages or losses resulting from the use of this information. © 2007 Iron County GIS



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Exhibit B

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

Popular Name: FREMONT CANYON ROAD

County: Iron

County Road Number: 21

State Geographic Information Database (SGID) Road Identification Number: RD110021.

Total Road Length: 9.81 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 07 minutes 46.41 seconds North Latitude and -112 degrees 37 minutes 33.94 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,316,506.6 feet and Y = 10,377,124.4 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 05 minutes 15.59 seconds North Latitude and -112 degrees 28 minutes 43.44 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,358,732.0 feet and Y = 10,361,392.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 31 South Range 5 West, Section(s) 30, Salt Lake Base & Meridian

Township 31 South Range 6 West, Section(s) 5,6,7,8,9,14,15,16,23,24, Salt Lake Base & Meridian

Township 31 South Range 7 West, Section(s) 11,12, Salt Lake Base & Meridian

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