



**Exhibit A**

**00574722**

B: 1139 P: 128 Fee \$0.00 Page 2 of 9  
Patsy Cutler, Iron County Recorder  
06/30/2008 10:21:24 AM By GOVERNOR/STATE OF UTAH



**AFFIDAVIT OF LYNN FIACK**

**BLAWN WASH ROAD**

**IRON COUNTY, UTAH**

**ROAD NUMBER 38**

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 Blawn Wash 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 the late 1980s when I last observed it. Attached is a Iron County map showing Blawn Wash 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 the late 1980s. Throughout this time period I have observed travel on the road by means of pickup trucks, trucks and road maintenance vehicles. Throughout this time period, the road has been used daily.

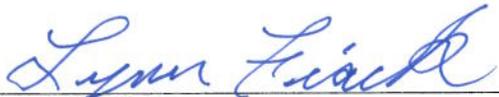
5. Throughout the time period from the early 1950s to the late 1980s, I have used the road myself for road maintenance and traveling in and through the area.

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 and traveling in and through the area.

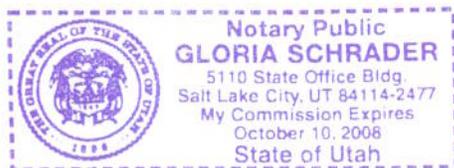
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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 20<sup>th</sup> day of December, 2006.



  
NOTARY PUBLIC

**00574722**

B: 1139 P: 130 Fee \$0.00 Page 4 of 9  
Patsy Cutler, Iron County Recorder  
06/30/2008 10:21:24 AM By GOVERNOR/STATE OF UTAH

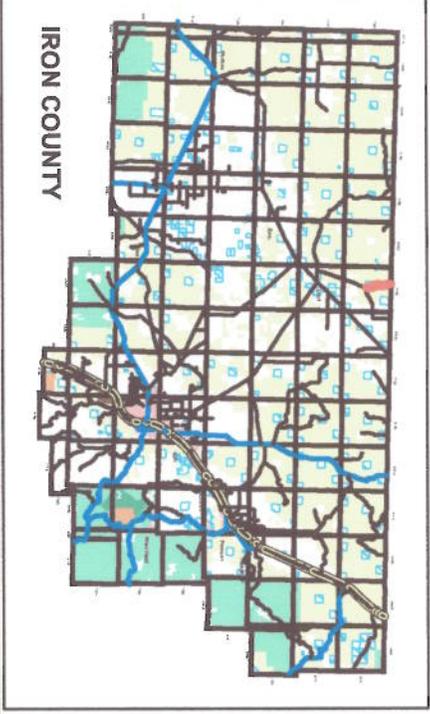
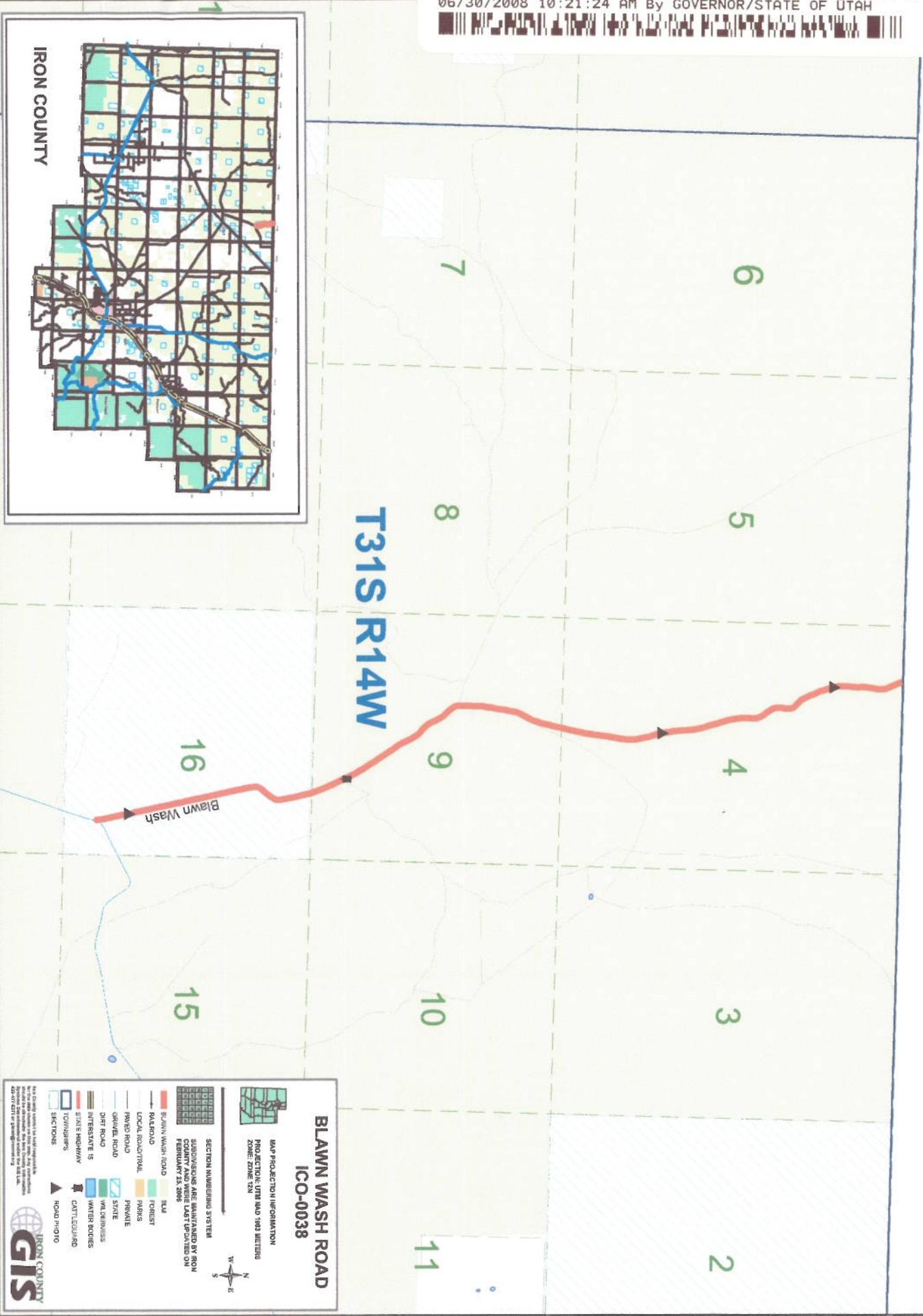


00574722

B: 1139 P: 131 Fee \$0.00  
Patsy Cutler, Iron County Recorder Page 5 of 9  
06/30/2008 10:21:24 AM By GOVERNOR/STATE OF UTAH



**BLAWN WASH ROAD ICO-0038**



**BLAWN WASH ROAD ICO-0038**

**MAP PROJECTION INFORMATION**  
PROJECTION: UTM MGRS 5003 METERS  
ZONE: ZONE 12N

**SECTION NUMBERING SYSTEM**  
SUBDIVISIONS ARE MAINTAINED BY IRON COUNTY AND WERE LAST UPDATED ON FEBRUARY 23, 2009

**LEGEND**

- BLAWN WASH ROAD
- RAILROAD
- LOCAL ROAD/UTILE
- PAVED ROAD
- GRAVEL ROAD
- DIRT ROAD
- STATE HIGHWAY
- COVERAGES
- SECTIONS
- BLM
- FOREST
- PARKS
- PRIVATE
- STATE
- WATERBODIES
- WATER BODIES
- CATTLE RANGING
- ROAD PHOTO

**IRON COUNTY GIS**

Map data provided by the Utah State Office of Geographic Information Systems. All other data is the property of the respective owners. Iron County GIS is not responsible for any errors or omissions on this map. For more information, contact the Iron County GIS office at 435-863-2200.

**AFFIDAVIT OF NEIL JAMIESON FORSYTH**

**BLAWN WASH ROAD**

**IRON COUNTY, UTAH**

**ROAD NUMBER 38**

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 Blawn Wash 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 Blawn Wash 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 weekly.

**00574722**

B: 1139 P: 132 Fee \$0.00  
Patsy Cutler, Iron County Recorder Page 6 of 9  
06/30/2008 10:21:24 AM By GOVERNOR/STATE OF UTAH



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, mining, prospecting for minerals, wood gathering, hunting, recreation, government access and traveling in and through the area.

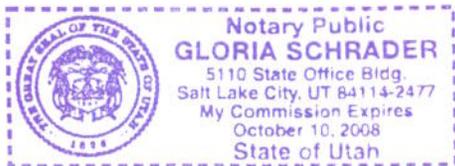
7. It is also the reputation in the community that this road has been open o the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 20<sup>th</sup> day of December, 2006.

  
\_\_\_\_\_  
NEIL JAMIESON FORSYTH

SUBSCRIBED AND SWORN to before me this 20<sup>th</sup> day of December, 2006.



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

**00574722**

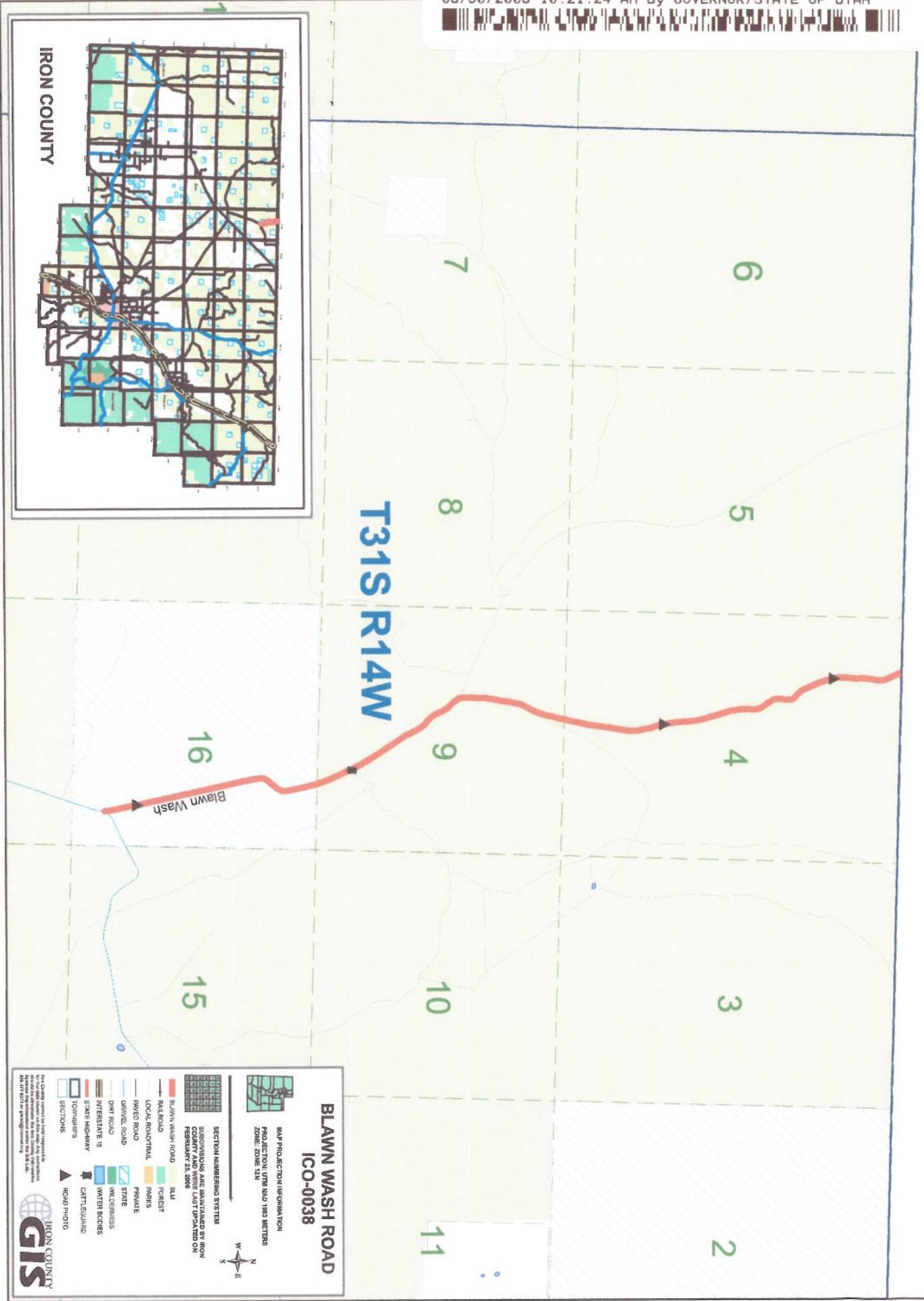
B: 1139 P: 133 Fee \$0.00  
Patsy Cutler, Iron County Recorder Page 7 of 9  
06/30/2008 10:21:24 AM By GOVERNOR/STATE OF UTAH



00574722

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**BLAWN WASH ROAD ICO-0038**



**BLAWN WASH ROAD**  
**ICO-0038**

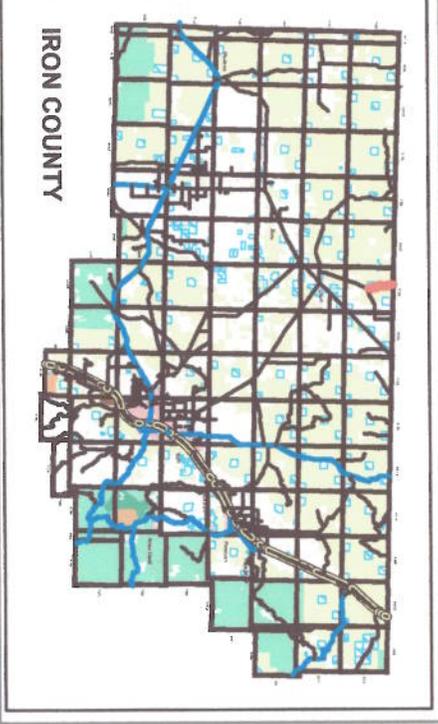
**MAP PROJECTION INFORMATION**  
PROJECTION: UTM 12N  
ZONE: 12N

**SECTION NUMBERING SYSTEM**  
SECTIONS ARE MAINTAINED BY IRON COUNTY AND WERE LAST UPDATED ON FEBRUARY 23, 2006

**LEGEND**

- BLAWN WASH ROAD
- RAILROAD
- LOCAL ROAD/LOCAL
- PAVED ROAD
- GENERAL ROAD
- DIRT ROAD
- INTERSTATE 15
- STATE HIGHWAY
- WATERSHEDS
- WATER BODIES
- CATTLE GUARD
- ROAD PHOTO
- SECTIONS
- CORNERS
- BLM
- FOREST
- PRIVATE
- STATE
- WATERSHEDS
- WATER BODIES
- CATTLE GUARD
- ROAD PHOTO

**IRON COUNTY GIS**



## Exhibit B

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

**Popular Name: BLAWN WASH ROAD**

**County: Iron**

**County Road Number: 38**

**State Geographic Information Database (SGID) Road Identification Number: RD110038.**

**Total Road Length: 3.47 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 06 minutes 05.72 seconds North Latitude and -113 degrees 25 minutes 12.89 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,087,892.6 feet and Y = 10,370,661.9 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 08 minutes 55.39 seconds North Latitude and -113 degrees 25 minutes 54.92 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,084,888.6 feet and Y = 10,387,889.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 30 South Range 14 West, Section(s) 33, Salt Lake Base & Meridian

Township 31 South Range 14 West, Section(s) 4,9,16, Salt Lake Base & Meridian

**00574722**

B: 1139 P: 135 Fee \$0.00  
Patsy Cutler, Iron County Recorder Page 9 of 9  
06/30/2008 10:21:24 AM By GOVERNOR/STATE OF UTAH

