

Exhibit A

00574748

B: 1139 P: 362 Fee \$0.00 Page 2 of 9
Patsy Cutler, Iron County Recorder
06/30/2008 10:36:41 AM By GOVERNOR/STATE OF UTAH



AFFIDAVIT OF LYNN FIACK
BERYL/LUND RR FRONTAGE ROAD
IRON COUNTY, UTAH
ROAD NUMBER 500A

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 Beryl/Lund RR Frontage 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 2004 when I last observed it. Attached is a Iron County map showing Beryl/Lund RR Frontage 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 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.

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5. Throughout the time period from the early 1960s to 2001, 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, railroad maintenance, travel to and from schools, railroad maintenance, farming and traveling in and through the area.

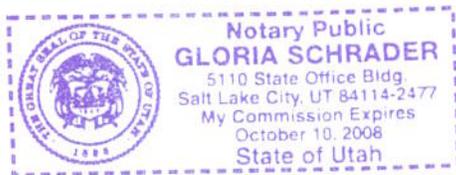
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

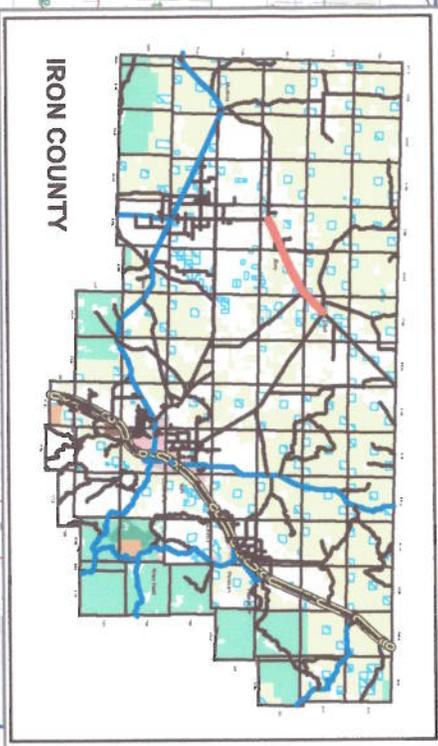
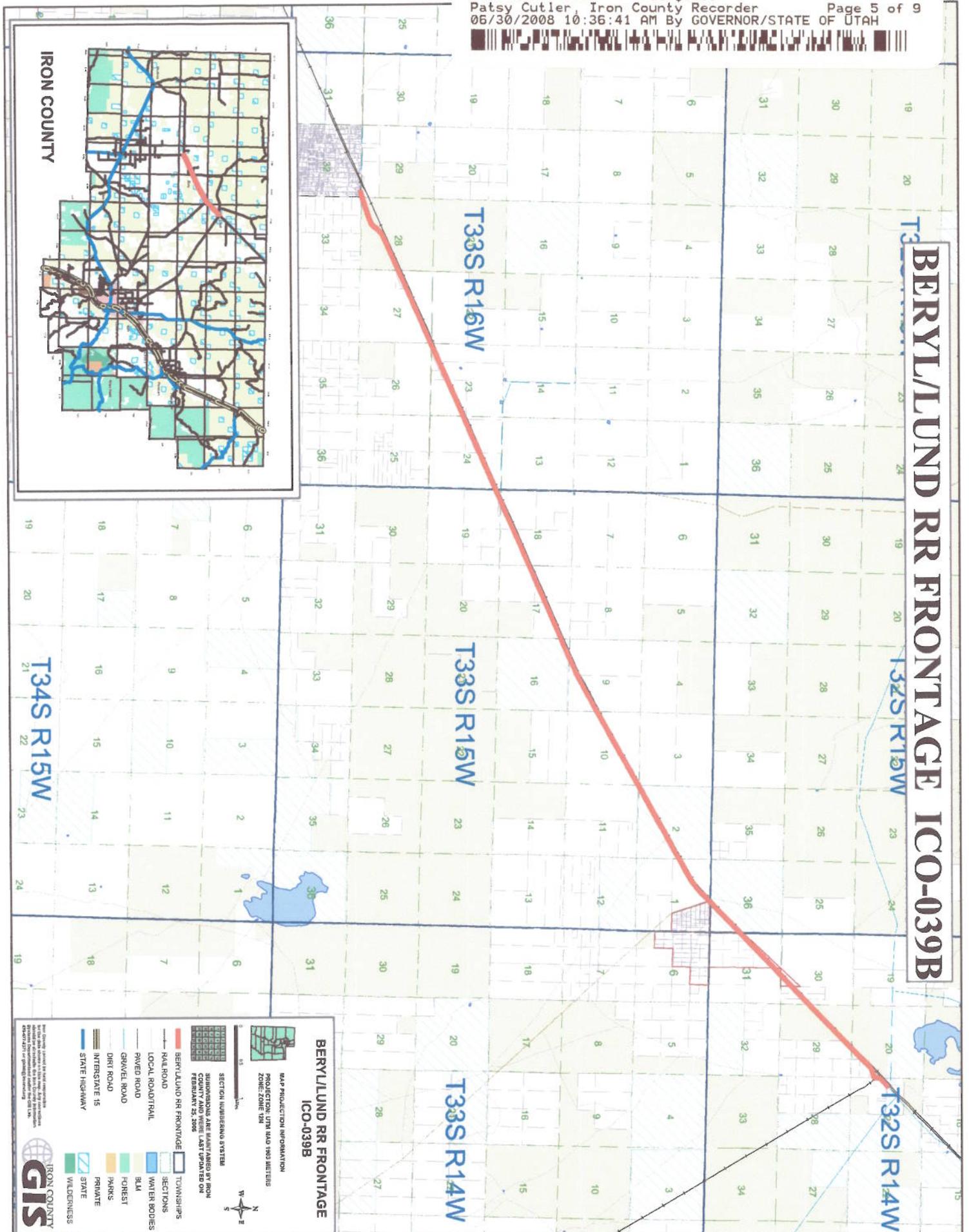
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BERYLUND RR FRONTAGE ICO-039B

**BERYLUND RR FRONTAGE
ICO-039B**

MAP PROJECTION INFORMATION
PROJECTION: UTM
ZONE: 12N
EASTING: 600000
NORTHING: 6000000
UNIT: METERS

- SECTION NUMBERING SYSTEM
- BERYLUND RR FRONTAGE
 - RAILROAD
 - LOCAL ROAD/TRAIL
 - PAVED ROAD
 - GRAVEL ROAD
 - DIRT ROAD
 - INTERSTATE 15
 - STATE HIGHWAY
 - TOWNSHIPS
 - SECTIONS
 - WATER BODIES
 - BLM
 - FOREST
 - PARKS
 - PRIVATE
 - STATE
 - WILDERNESS

IRON COUNTY GIS

AFFIDAVIT OF NEIL JAMIESON FORSYTH

BERYL/LUND RR FRONTAGE ROAD

IRON COUNTY, UTAH

ROAD NUMBER 39B

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 Berly/Lund RR Frontage 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 Beryl/Lund RR Frontage 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 cars, pickup trucks and road maintenance vehicles. Throughout this time period, the road has been used daily.

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5. Throughout the time period from the early 1960s 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, railroad access and maintenance, mining, oil and gas exploration, farming, prospecting for minerals, travel to and from schools, wood gathering, hunting, recreation, government access and traveling in and through the area.

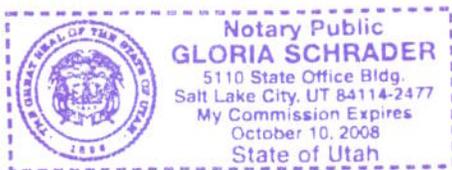
7. It is also the reputation in the community that this road has been open o the public for all to use, to come and go as they pleased, since at least as early as the early 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

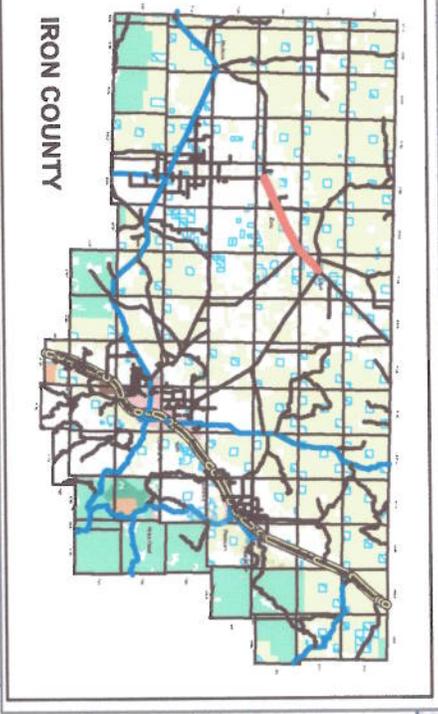
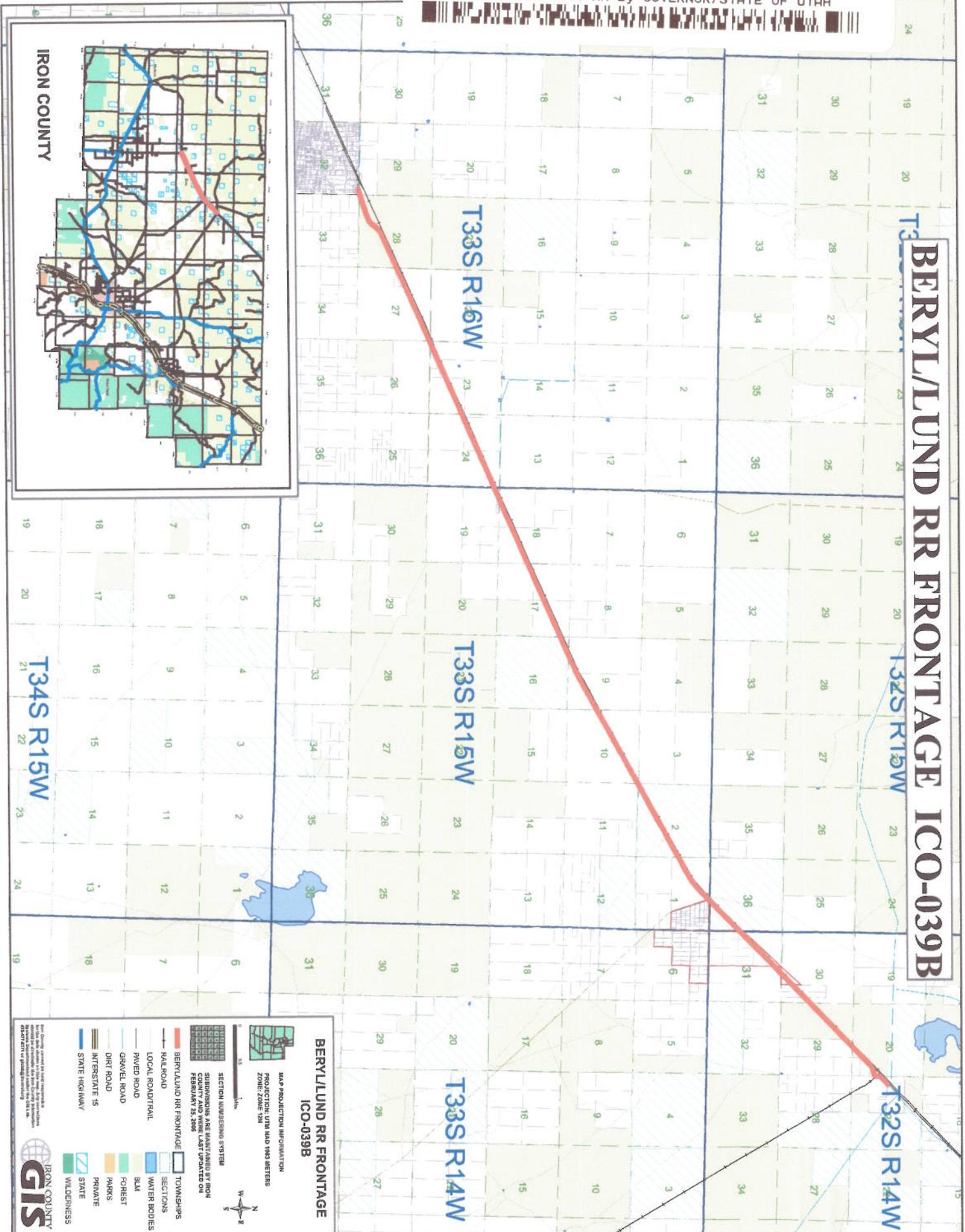
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BERYL/LUND RR FRONTAGE
ICO-039B

MAP PROJECTION INFORMATION
PROJECTION: UTM
ZONE: 12N
UNIT: METERS

SECTION NUMBERING SYSTEM
SUBDIVISIONS ARE MAINTAINED BY IRON COUNTY RECORDERS OFFICE
FEBRUARY 26, 2008

LEGEND

- BERYL/LUND RR FRONTAGE
- TOWNSHIPS
- SECTIONS
- WATER BODIES
- RAILROAD
- LOCAL ROAD/TRAIL
- BLM
- PAVED ROAD
- GRAVEL ROAD
- DIRT ROAD
- FOREST
- INTERSTATE 15
- PRIVATE
- STATE HIGHWAY
- PARKS
- STATE
- WILDERNESS

IRON COUNTY GIS

Exhibit B

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

Popular Name: BERYL/LUND RR FRONTAGE ROAD

County: Iron

County Road Number: 39B

State Geographic Information Database (SGID) Road Identification Number: RD119907.

Total Road Length: 14.48 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 53 minutes 47.77 seconds North Latitude and -113 degrees 39 minutes 22.14 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,018,305.6 feet and Y = 10,297,516.0 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 32 South Range 14 West, Section(s) 20,21,29,30,31, Salt Lake Base & Meridian
Township 32 South Range 15 West, Section(s) 36, Salt Lake Base & Meridian
Township 33 South Range 15 West, Section(s) 1,2,9,10,11,16,17,18,19, Salt Lake Base & Meridian
Township 33 South Range 16 West, Section(s) 23,24,26,27,28, Salt Lake Base & Meridian

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