



**Exhibit A**

**DOC # 00354920**

Affidavits B: 0602 P: 0569  
Jayrene B Nielsen Sevier County Recorder Page 2 of 9  
07/01/2008 09:54:08 AM Fee \$0.00 By GOVERNOR OF THE STA



**AFFIDAVIT OF JOEL C. JENSEN**  
**HIDDEN VALLEY MINE ROAD**  
**SEVIER COUNTY, UTAH**  
**COUNTY ROAD NUMBER 6015**

State of Utah                    )  
  : ss.  
County of Emery                )

JOEL C. JENSEN, 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 Emery, Emery County, Utah. I have lived in Emery County since 1950.
2. I have traveled and am familiar with a road in Sevier County known as the Hidden Valley Mine Road (County Road Number 6015). I am also familiar with the land the road traverses. When I first used and observed the road in 1957 or 1958, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing the Hidden Valley Mine Road County Road Number 6015). 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 1957 or 1958 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including pickups, automobile, mining vehicles, ATV's, horses, wagon and trucks. Throughout this time period, the road has been used daily.

**DOC # 00354920**

Affidavits B: 0602 P: 0570  
Jayrene B Nielsen Sevier County Recorder Page 3 of 9  
07/01/2008 09:54:08 AM Fee \$0.00 By GOVERNOR OF THE STA






5. Throughout the time period from 1957 or 1958 to 2006, I have used the road myself for access to livestock.

6. During the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraphs plus access to mining.

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 1930's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

8. I observed the following evidence of maintenance/construction activities on the road prior to 1976: I know in the 1940's the old state highway crossed the bottom end of this road. I know that the road was asphalted in 1980 or 1981. Emery County keeps snowplows and graders accessible on the road in order to remove snow during the season. I have been running a grader on this road for 24 years.

DATED this 21<sup>st</sup> day of November, 2006.

  
JOEL C. JENSEN

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

  
NOTARY PUBLIC



**DOC # 00354920**

Affidavits B: 0602 P: 0571  
Jayrene B Nielsen Sevier County Recorder Page 4 of 9  
07/01/2008 09:54:08 AM Fee \$0.00 By GOVERNOR OF THE STA

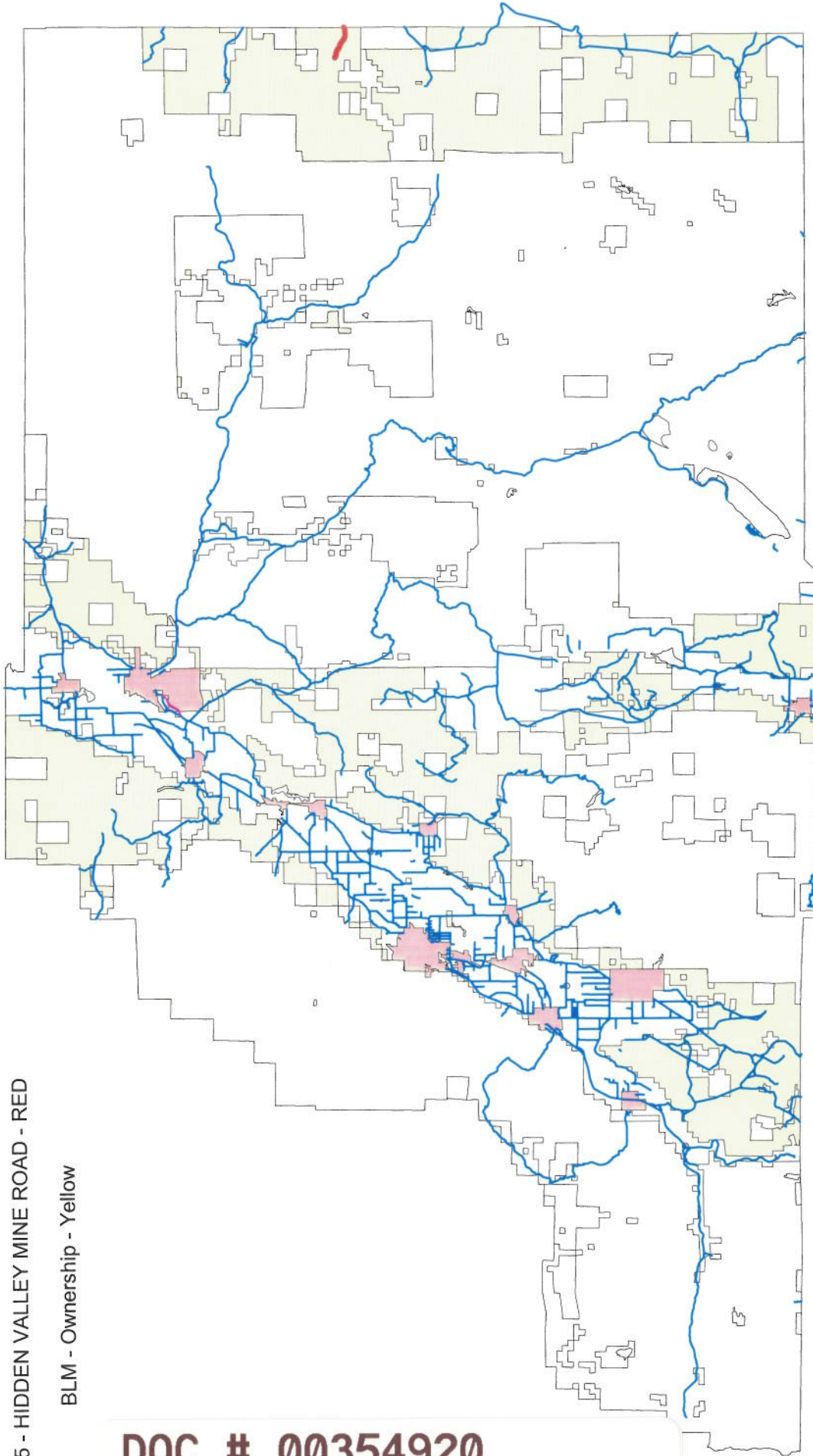


SEVIER COUNTY  
RS2477  
October 19, 2006

Class "B" Maintained Roads - Blue

6015 - HIDDEN VALLEY MINE ROAD - RED

BLM - Ownership - Yellow



**DOC # 00354920**

Affidavits B: 0602 P: 0572  
Jayrene B Nielsen Sevier County Recorder Page 5 of 9  
07/01/2008 09:54:08 AM Fee \$0.00 By GOVERNOR OF THE STA



**AFFIDAVIT OF MORRIS SORENSEN  
HIDDEN VALLEY MINE ROAD  
SEVIER COUNTY, UTAH  
COUNTY ROAD NUMBER 6015**

State of Utah                    )  
  : ss.  
County of Emery                )

MORRIS SORENSEN, 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 Emery, Emery County, Utah. I have lived in Emery County from 1945 until 1969. In 1969 I left and went to school until 1975. I returned to Emery County in 1975, and I am still living there at this present time. I am currently employed by the Emery County Road Department and have been since 1984.
2. I have traveled and am familiar with a road in Sevier County known as the Hidden Valley Mine Road (County Road Number 6015). I am also familiar with the land the road traverses. When I first used and observed the road in 1960, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing the Hidden Valley Mine Road (County Road Number 6015). 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 1960 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including trucks, stock trailers, ATV's, pickups and 10-wheel dump trucks. Through this time period, the road has been used daily.

**DOC # 00354920**

Affidavits B: 0602 P: 0573  
Jayrene B Nielsen Sevier County Recorder Page 6 of 9  
07/01/2008 09:54:08 AM Fee \$0.00 By GOVERNOR OF THE STA  




5. Throughout the time period from 1960 to the present time, I have used the road myself for livestock operations and hunting.

6. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus the following uses: Access to the Hidden Valley Coal Mine and hauling of mineral ore by the Live Earth Company.

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 1920's and continuing through 1976 to the present time, for the uses described in the previous paragraphs.

8. I observed the following evidence of maintenance construction activities on the road prior to 1976: The road was paved for access to the Hidden Valley Coal Mine and there are signs on the road. I maintain snow removal equipment and a grader on the road for winter snow removal.

DATED this 21<sup>st</sup> day of November, 2006.

Morris Sorenson  
MORRIS SORENSEN

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

Carol D. Cox  
NOTARY PUBLIC



**DOC # 00354920**

Affidavits B: 0602 P: 0574  
Jayrene B Nielsen Sevier County Recorder Page 7 of 9  
07/01/2008 09:54:08 AM Fee \$0.00 By GOVERNOR OF THE STA

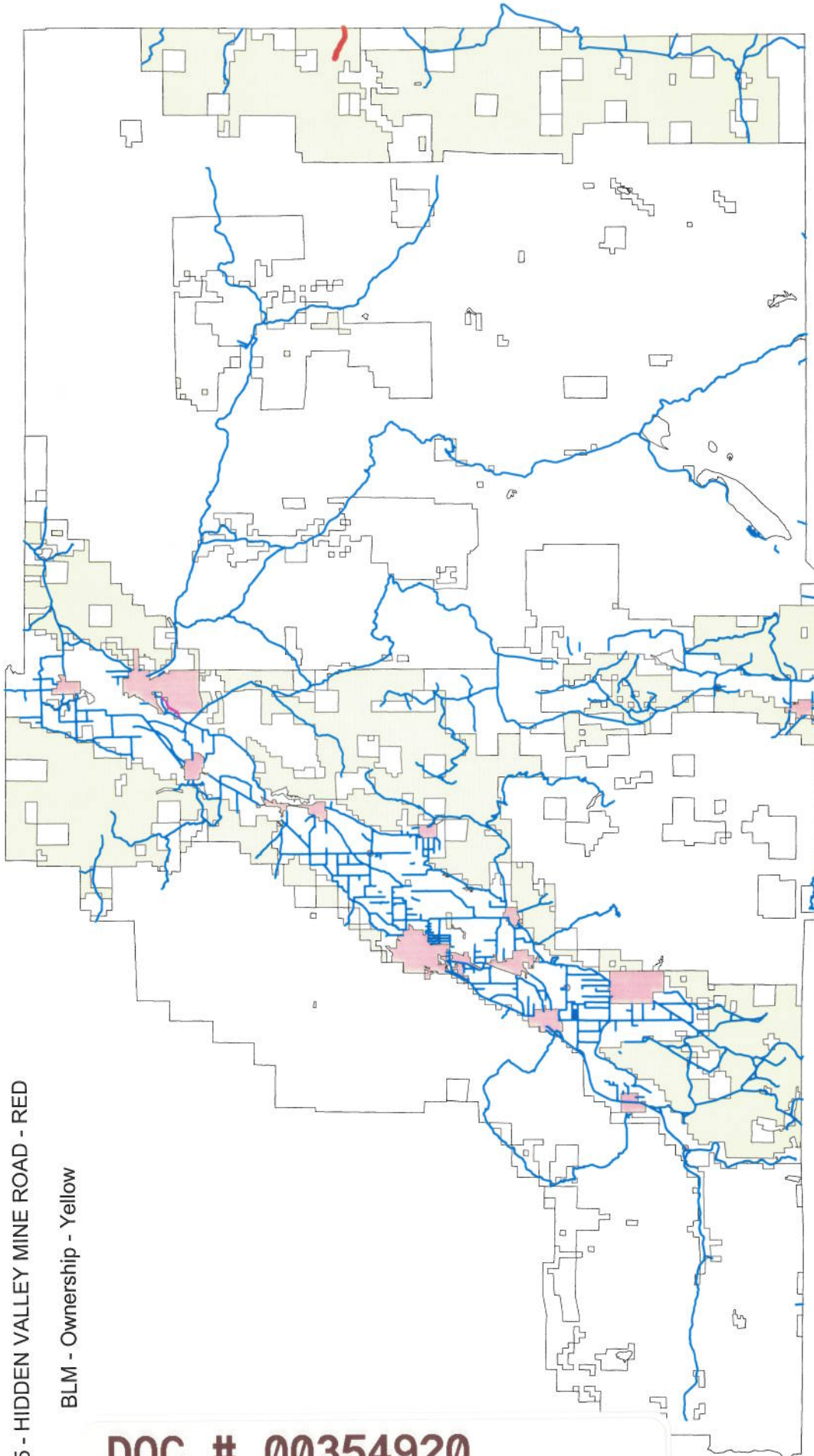


SEVIER COUNTY  
RS2477  
October 19, 2006

Class "B" Maintained Roads - Blue

6015 - HIDDEN VALLEY MINE ROAD - RED

BLM - Ownership - Yellow



**DOC # 00354920**

Affidavits B: 0602 P: 0575  
Jayrene B Nielsen Sevier County Recorder Page 8 of 9  
07/01/2008 09:54:08 AM Fee \$0.00 By GOVERNOR OF THE STA





## Exhibit B

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

**Popular Name:** 95p\_Hidden Valley Mine Road

**County:** Sevier

**County Road Number:** 6015

**State Geographic Information Database (SGID) Road Identification Number:** RD210012.

**Total Road Length:** 1.56 miles more or less.

**Beginning at a point** on the road centerline located at 38 degrees 49 minutes 30.48 seconds North Latitude and -111 degrees 19 minutes 29.31 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,690,332.4 feet and Y = 6,740,852.5 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 49 minutes 8.6 seconds North Latitude and -111 degrees 17 minutes 55.37 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,697,772.2 feet and Y = 6,738,654.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 23 South Range 5 East, Section(s) 11,12,13, Salt Lake Base & Meridian  
Township 23 South Range 6 East, Section(s) 18, Salt Lake Base & Meridian

**DOC # 00354920**

Affidavits B: 0602 P: 0576  
Jayrene B Nielsen Sevier County Recorder Page 9 of 9  
07/01/2008 09:54:08 AM Fee \$0.00 By GOVERNOR OF THE STA

