



## Exhibit A

**AFFIDAVIT OF KENT MARSHALL**

**VANCE SPRING ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-17**

State of Utah                    )  
  : ss.  
County of Beaver                )

KENT MARSHALL, 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 Minersville, Beaver County, Utah. I have lived in Beaver County my entire life.

2. I have traveled and am familiar with a road in Beaver County known as Vance Spring Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1950s, it followed the same route as in the 2004 when I last observed it. Attached is a Beaver County map showing Vance Spring 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 1950s and continuing through 1976 to the late 2004. Throughout this time period I have observed travel on the road by means of pickup trucks. Throughout the time period from the late 1950s to 2004 the road was used daily.

5. Throughout the time period from the late 1950s to 2004, I have used the road myself for hunting, wood gathering, pine nut gathering, recreation and travel in and through the area.

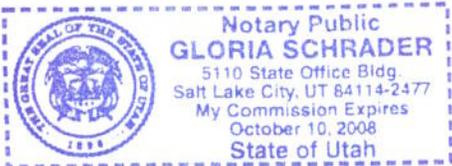
6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus livestock operations, mining, prospecting for minerals and trapping. It is also the reputation 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.

7. Prior to 1976, I observed the graded surface of the road.

DATED this 2 day of February, 2007.

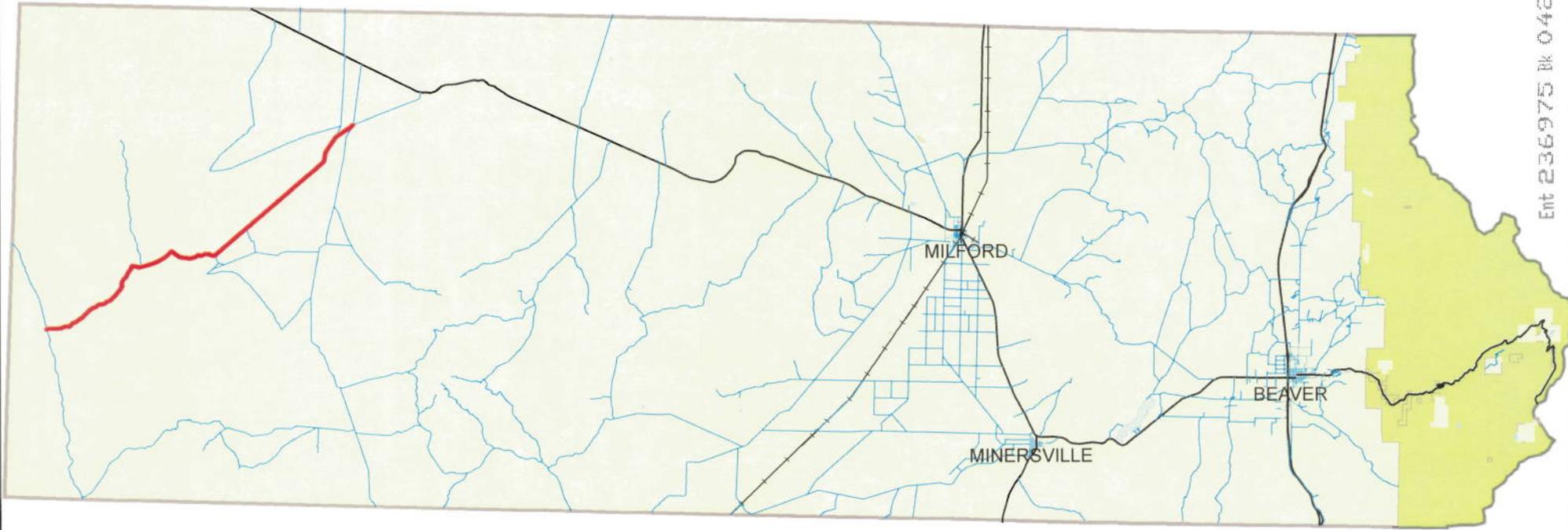
Kent Marshall  
KENT MARSHALL

SUBSCRIBED AND SWORN to before me this 2nd day of February, 2007.



Gloria Schrader  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS



Ent 236975 Bk 0423 Pg 0669

**Legend**

-  Vance Spring Road
-  County B Roads
-  State Highways
-  UPRR

VANCE SPRING ROAD  
B-17

**AFFIDAVIT OF ROBERT MERRYWEATHER**

**VANCE SPRINGS ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-17**

State of Utah                    )  
  : ss.  
County of Beaver                )

ROBERT MERRYWEATHER, 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 Milford, Beaver County, Utah. I have lived in Beaver County most of my life. I was employed with the Beaver County Road Department from approximately 1970 to 2000.

2. I have traveled and am familiar with a road in Beaver County known as Vance Springs Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1950, it followed the same route as in 2006 when I last observed it. Attached is a Beaver County map showing Vance Springs 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 1950 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by means of pickup trucks, ATVs and automobiles. Throughout this time period, the road has been used daily, weather permitting.

5. Throughout the time period from 1950 to 2006, I have used the road myself for hunting, recreation and county 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 mining, livestock operations, prospecting for minerals, government access and wood gathering.

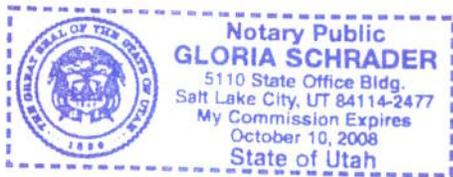
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 1 day of February, 2007.

  
ROBERT MERRYWEATHER

SUBSCRIBED AND SWORN to before me this 1<sup>st</sup> day of February, 2007.

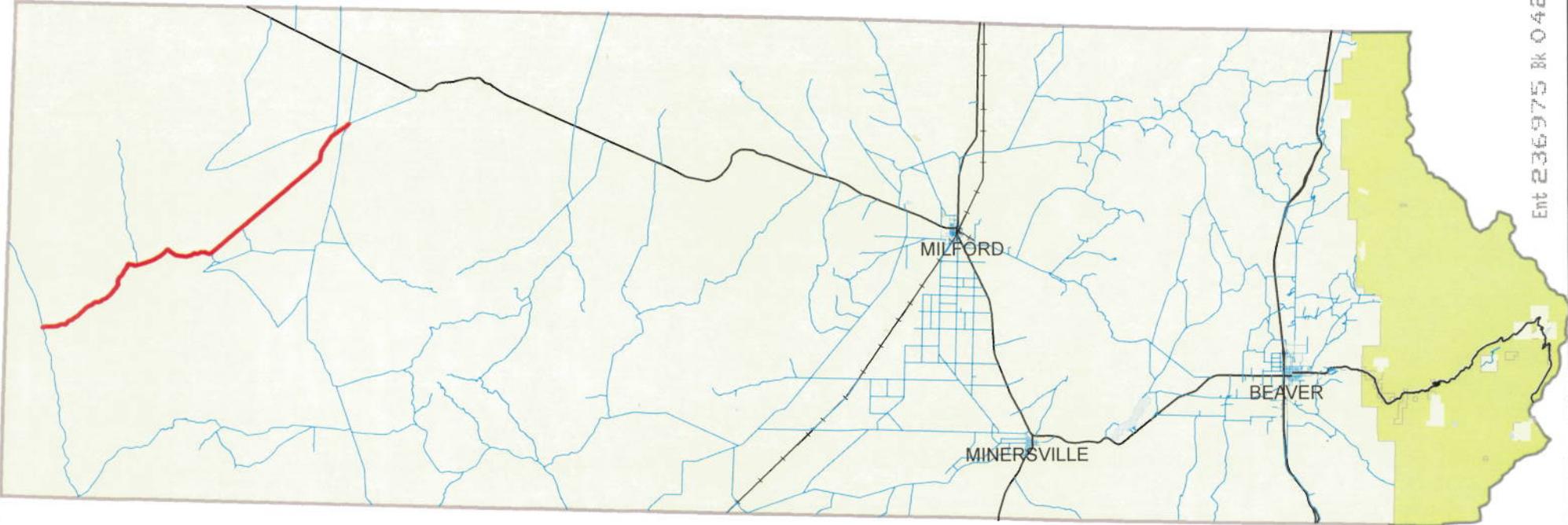


  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS



Ent 236975 Bk 0423 Pg 0672



**Legend**

- Vance Spring Road
- County B Roads
- State Highways
- UPRR

VANCE SPRING ROAD  
B-17

## Exhibit B

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

**Popular Name: VANCE SPRING ROAD**

**County: Beaver**

**County Road Number: B-17**

**State Geographic Information Database (SGID) Road Identification Number: RD010068.**

**Total Road Length: 23.83 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 17 minutes 36.38 seconds North Latitude and -114 degrees 00 minutes 34.42 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 920,236.6 feet and Y = 10,444,518.1 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 28 minutes 32.87 seconds North Latitude and -113 degrees 40 minutes 50.57 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,016,137.1 feet and Y = 10,508,546.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 27 South Range 16 West, Section(s) 7,18, Salt Lake Base & Meridian  
Township 27 South Range 17 West, Section(s) 12,13,23,24,26,27,33,34, Salt Lake Base & Meridian  
Township 28 South Range 17 West, Section(s) 4,5,7,8,18, Salt Lake Base & Meridian  
Township 28 South Range 18 West, Section(s) 13,14,19,20,21,22,23,30, Salt Lake Base & Meridian  
Township 28 South Range 19 West, Section(s) 25,35,36, Salt Lake Base & Meridian  
Township 29 South Range 19 West, Section(s) 2,3,7,8,9,10,18, Salt Lake Base & Meridian