



## Exhibit A

**AFFIDAVIT OF ROBERT MERRYWEATHER**

**OLD HICKORY MINE ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-46**

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 Old Hickory Mine 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 Old Hickory Mine 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 and ATVs. 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 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 and travel in and through the area.

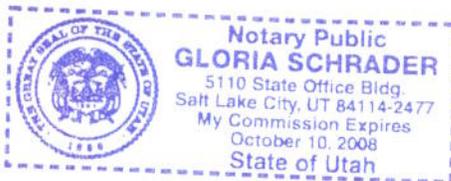
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 1 day of February, 2007.

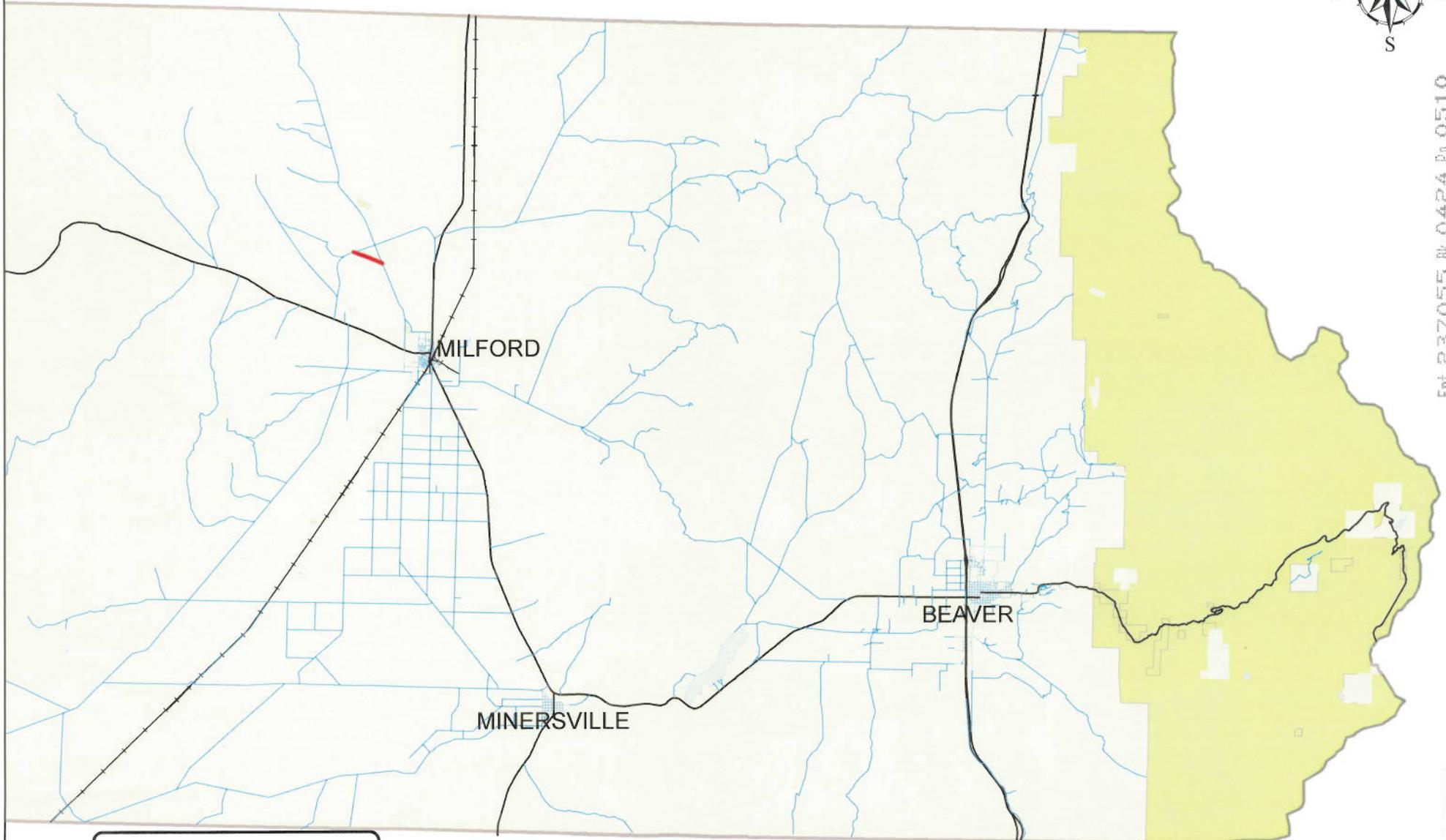
  
ROBERT MERRYWEATHER

SUBSCRIBED AND SWORN to before me this 1st day of February, 2007.



  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS



Ent 237055 Bk 0424 Pg 0510

**Legend**

-  Old Hickory Mine Road
-  County B Roads
-  State Highways
-  UPRR

**OLD HICKORY MINE ROAD  
B-46**

MAP VIEW AREA



CREATED BY BEAVER CO GIS DEPT

**AFFIDAVIT OF CARL E. PATTERSON**

**OLD HICKORY MINE ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-46**

State of Utah                    )  
  : ss.  
County of Beaver                )

CARL E. PATTERSON, 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 my entire life.

2. I have traveled and am familiar with a road in Beaver County known as Old Hickory Mine 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 Old Hickory Mine 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, cars, jeeps and ATVs. 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 recreation, hunting 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 mining, livestock operations, wood gathering and farming.

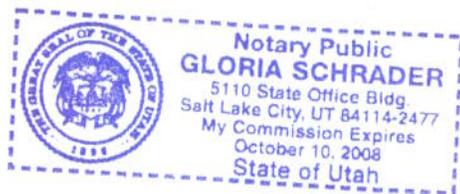
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 6 day of February, 2007.

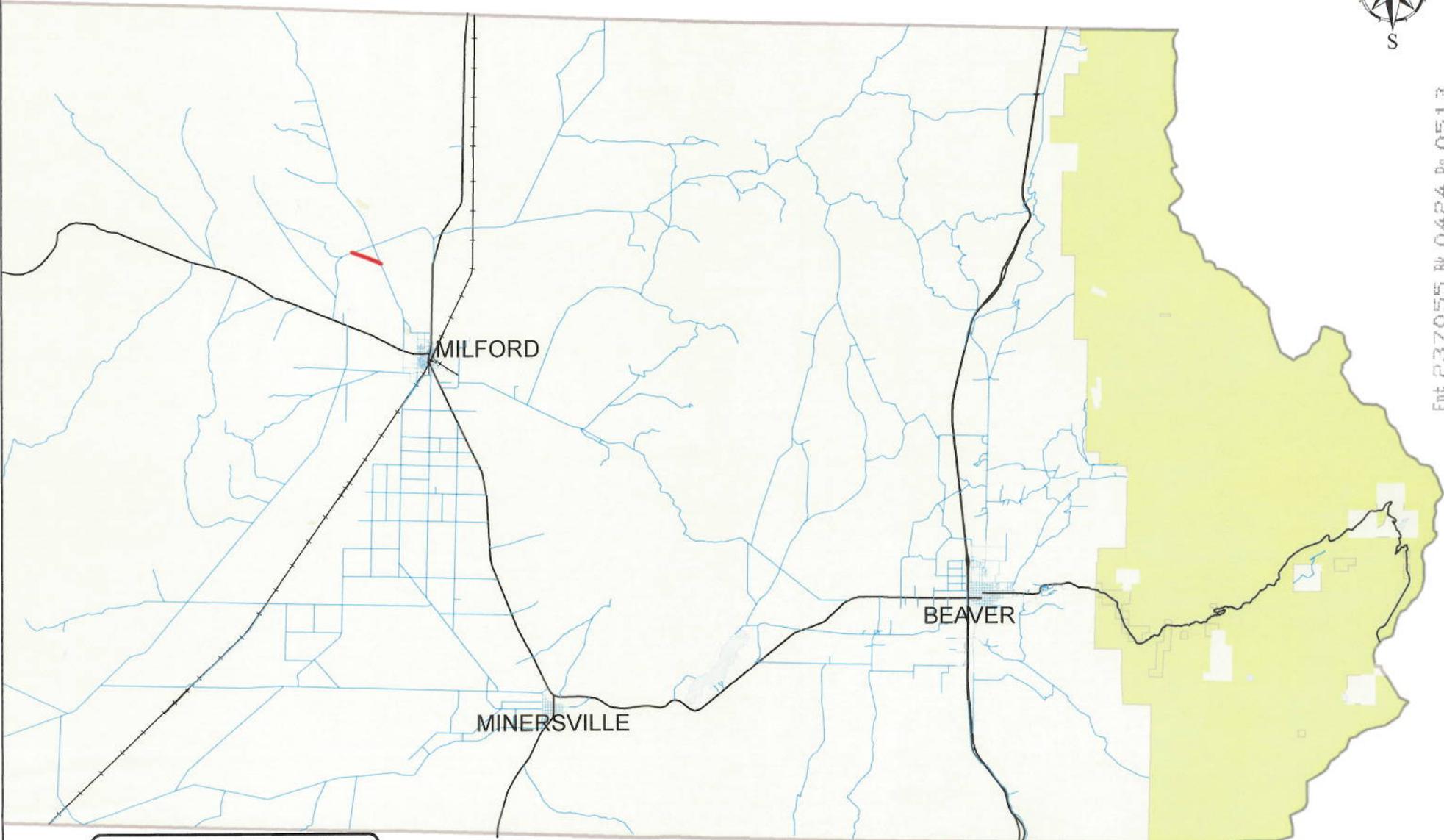
Carl E Patterson  
CARL E. PATTERSON

SUBSCRIBED AND SWORN to before me this 6th day of February, 2007.



Gloria Schrader  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS



Ent 237055 Bk 0424 Pg 0513

**Legend**

-  Old Hickory Mine Road
-  County B Roads
-  State Highways
-  UPRR

## OLD HICKORY MINE ROAD B-46

MAP VIEW AREA



CREATED BY BEAVER CO GIS DEPT

## Exhibit B

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

**Popular Name: OLD HICKORY MINE ROAD**

**County: Beaver**

**County Road Number: B-46**

**State Geographic Information Database (SGID) Road Identification Number: RD010131.**

**Total Road Length: 1.12 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 26 minutes 56.54 seconds North Latitude and -113 degrees 03 minutes 49.27 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,192,593.0 feet and Y = 10,495,265.3 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 26 minutes 36.15 seconds North Latitude and -113 degrees 02 minutes 39.78 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,198,086.8 feet and Y = 10,493,110.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 27 South Range 11 West, Section(s) 23,24, Salt Lake Base & Meridian