



## **Exhibit A**

**AFFIDAVIT OF FLOYD YARDLEY**  
**LOWER PORCUPINE CANYON ROAD**  
**BEAVER COUNTY, UTAH**  
**ROAD NUMBER B-83**

State of Utah                    )  
  : ss.  
County of Beaver                )

FLOYD YARDLEY, 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 Beaver, 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 Lower Porcupine Canyon 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 Lower Porcupine Canyon 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 automobiles. Throughout this time period, the road has been used daily.

5. Throughout the time period from 1950 to 2006, I have used the road myself for livestock operations.

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, prospecting for minerals, farming, government access, wood gathering, hunting, recreation, such as camping, picnicking, hiking, and/or sightseeing and hunting.

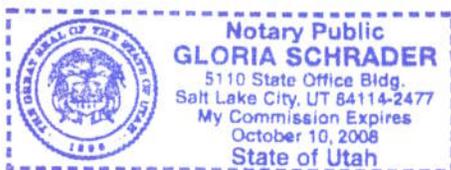
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 31 day of January, 2007.

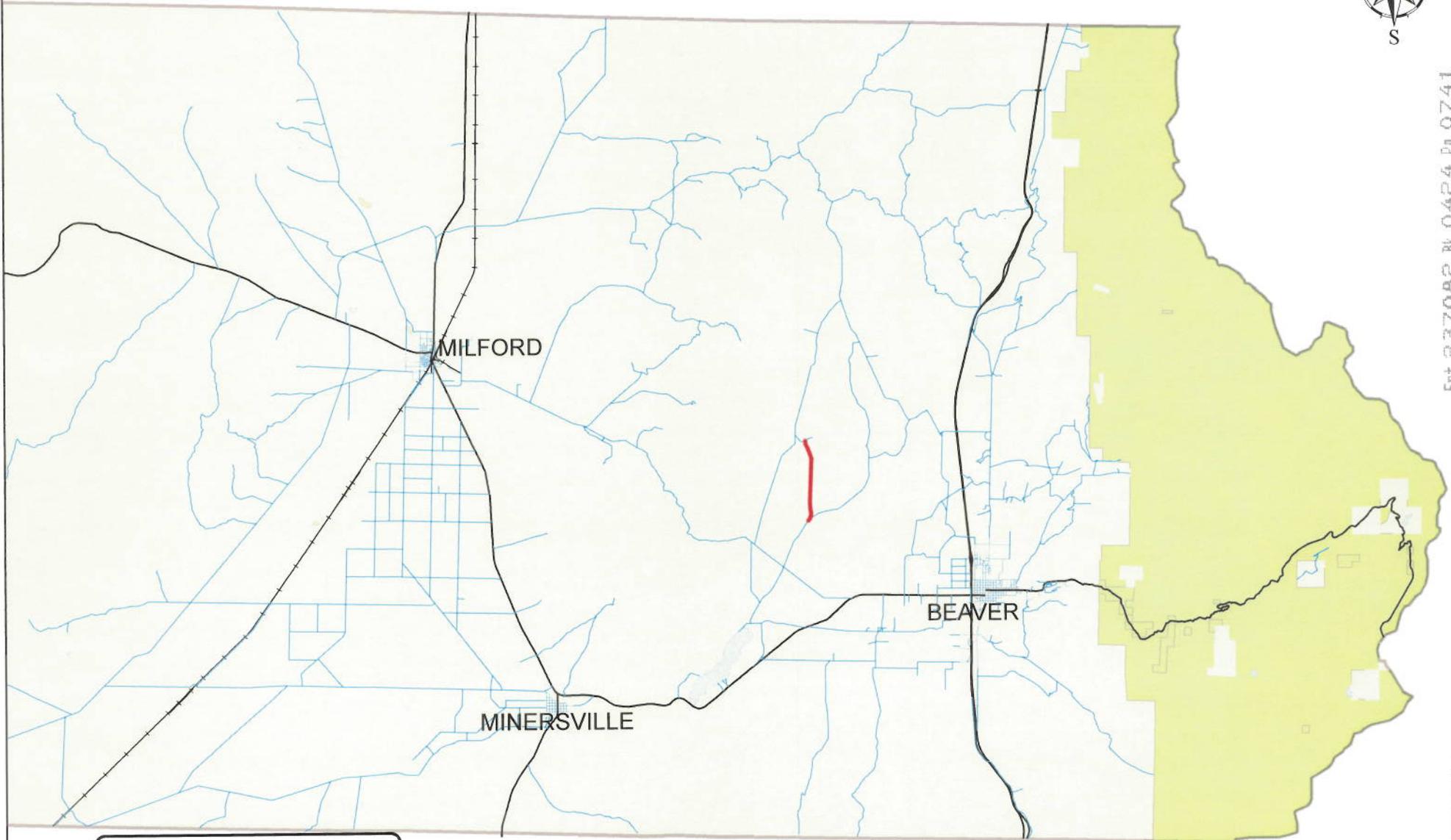
  
FLOYD YARDLEY

SUBSCRIBED AND SWORN to before me this 31<sup>st</sup> day of January, 2007.



  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS

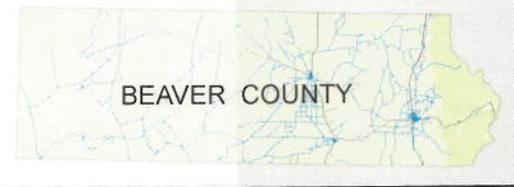


**Legend**

- Lower Porcupine Canyon
- County B Roads
- State Highways
- UPRR

**LOWER PORCUPINE CANYON ROAD  
B-83**

MAP VIEW AREA



**AFFIDAVIT OF SPENCER L. STEPHENS**

**LOWER PORCUPINE CANYON ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-83**

State of Utah                    )  
  : ss.  
County of Beaver                )

SPENCER L. STEPHENS, 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 Adamsville, Beaver County, Utah. I have lived in Beaver County since 1950.

2. I have traveled and am familiar with a road in Beaver County known as Lower Porcupine Canyon Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1952, it followed the same route as in 2002 when I last observed it. Attached is a Beaver County map showing Lower Porcupine Canyon 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 1952 and continuing through 1976 to 2002 present. Throughout this time period I have observed travel on the road by means of pickup trucks and automobiles. Throughout this time period, the road has been used weekly.

5. Throughout the time period from 1952 to 2002, I have used the road myself for hunting, wood gathering 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.

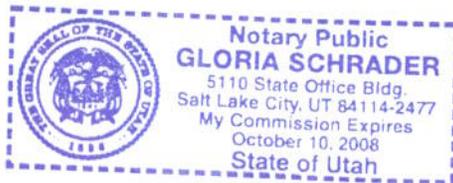
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 30 day of January, 2007.

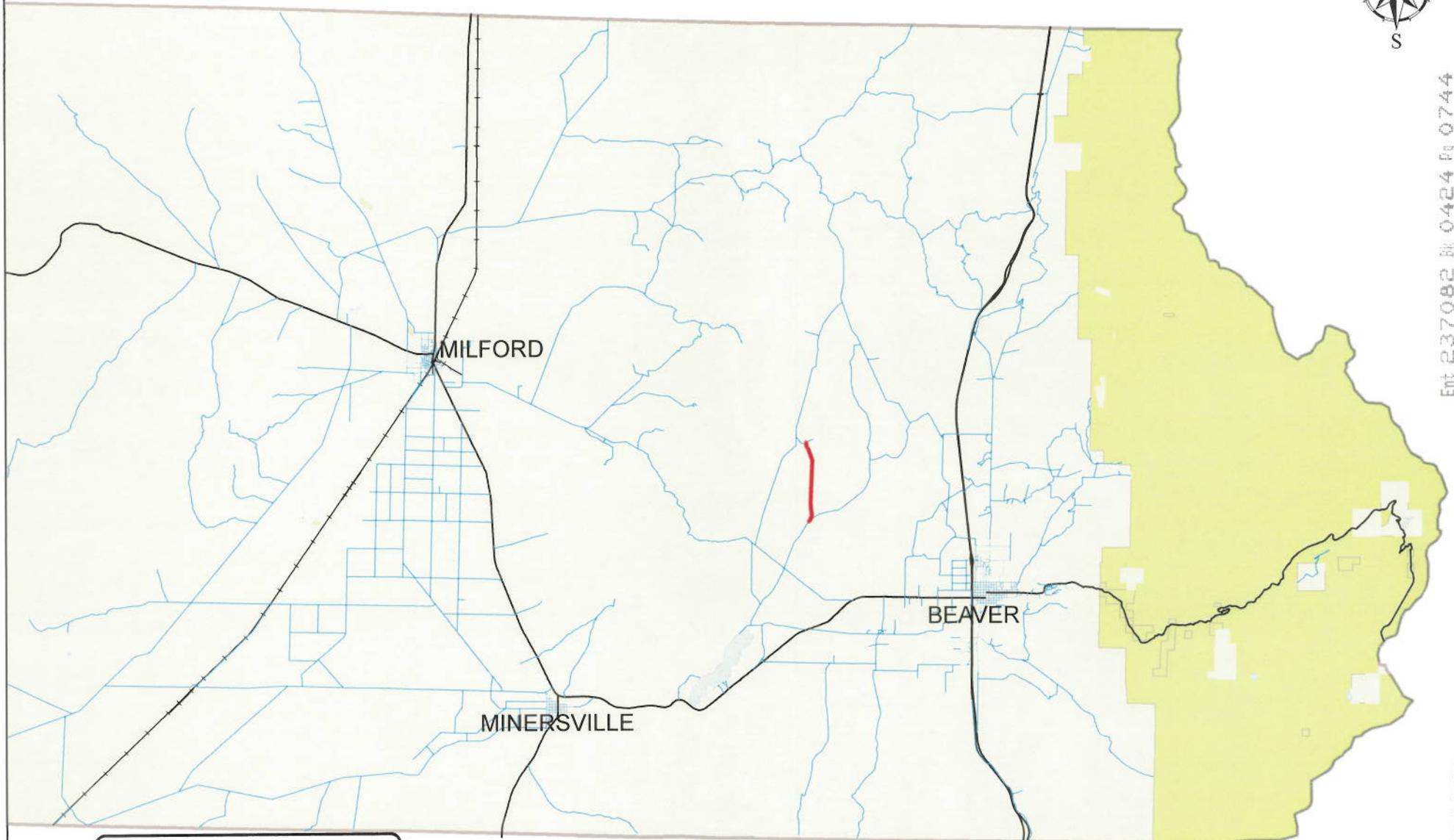
  
SPENCER L. STEPHENS

SUBSCRIBED AND SWORN to before me this 30<sup>th</sup> day of January, 2007.



  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS



**Legend**

- Lower Porcupine Canyon
- County B Roads
- State Highways
- UPRR

**LOWER PORCUPINE CANYON ROAD  
B-83**

MAP VIEW AREA



## Exhibit B

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

**Popular Name: LOWER PORCUPINE CANYON ROAD**

**County: Beaver**

**County Road Number: B-83**

**State Geographic Information Database (SGID) Road Identification Number: RD010164.**

**Total Road Length: 3.4 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 18 minutes 44.98 seconds North Latitude and -112 degrees 45 minutes 33.31 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,279,103.9 feet and Y = 10,444,226.5 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 21 minutes 24.08 seconds North Latitude and -112 degrees 46 minutes 07.75 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,276,578.2 feet and Y = 10,460,356.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 28 South Range 8 West, Section(s) 21,28,33, Salt Lake Base & Meridian

Township 29 South Range 8 West, Section(s) 4, Salt Lake Base & Meridian