



## Exhibit A

**AFFIDAVIT OF ROBERT MERRYWEATHER**

**LOW LINE CANAL ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-90**

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 Low Line Canal 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 Low Line Canal 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, travel in and through the area, hunting and fishing.

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 canal access and livestock operations.

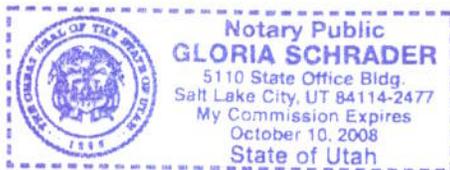
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 1 day of February, 2007.

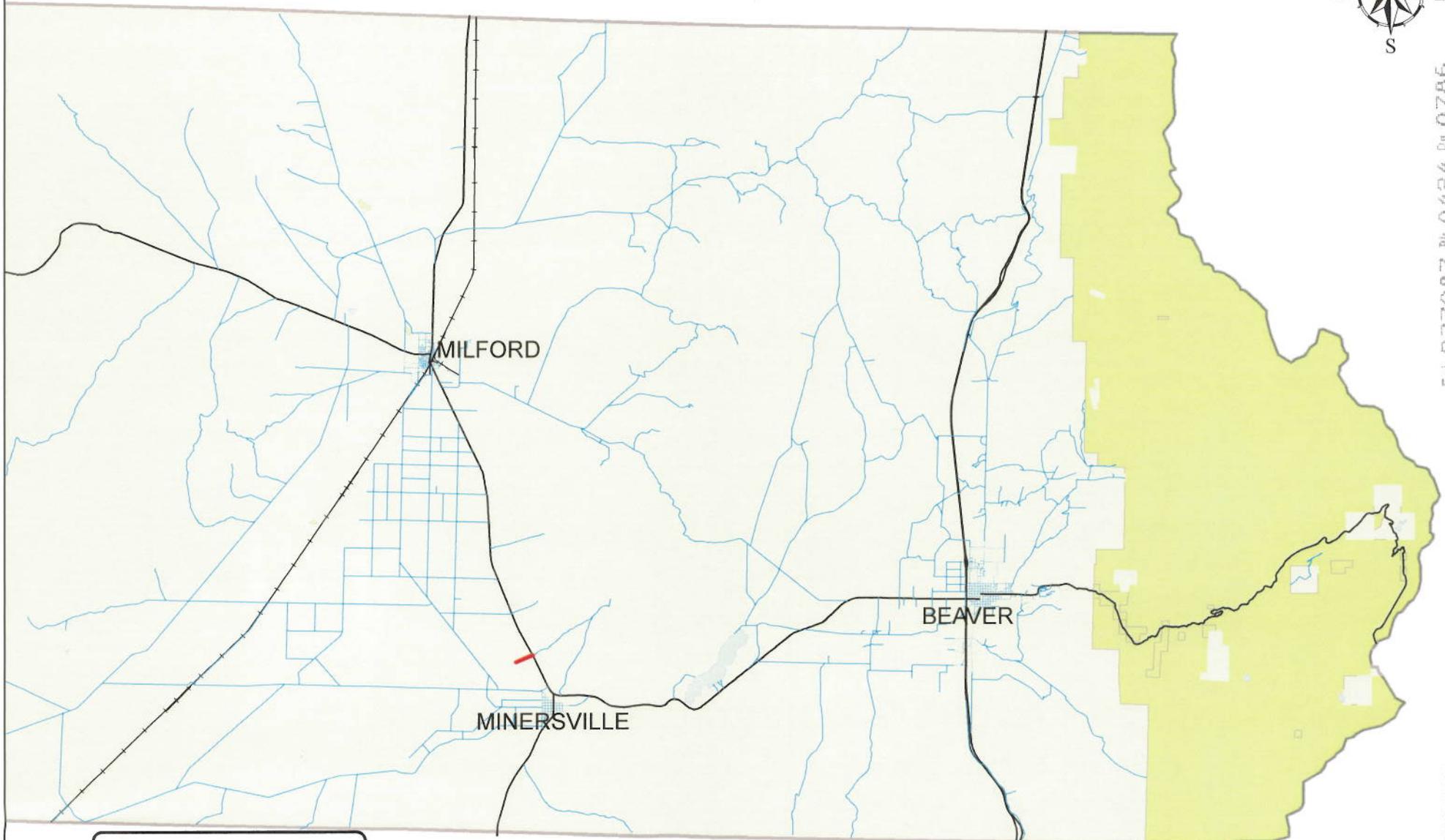
  
ROBERT MERRYWEATHER

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



  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS



Ent 237087 Bk 0424 Pl 0786

**Legend**

- Low Line Canal Road
- County B Roads
- State Highways
- UPRR

## LOW LINE CANAL ROAD B-90

MAP VIEW AREA



CREATED BY BEAVER CO GIS DEPT

**AFFIDAVIT OF DEAN CARTER**

**LOW LINE CANAL ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-90**

State of Utah                    )  
  : ss.  
County of Beaver                )

DEAN CARTER, 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 Low Line Canal Road. I am also familiar with the land the road traverses. When I first used and observed the road in the 1950s, it followed the same route as in 2005 when I last observed it. Attached is a Beaver County map showing Low Line Canal 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 1950s and continuing through 1976 to 2005. Throughout this time period I have observed travel on the road by means of trucks and cars. Throughout the time period from the 1950s to 1976 the road was used daily and is presently used weekly.

5. Throughout the time period from the 1950s to 2005, I have used the road myself for livestock operations, farming and hunting.

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 traveling in and through the area, recreation and sightseeing.

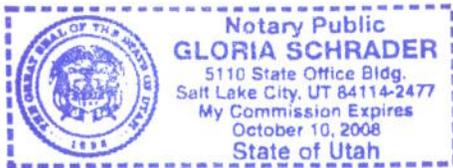
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 31 day of January, 2007.

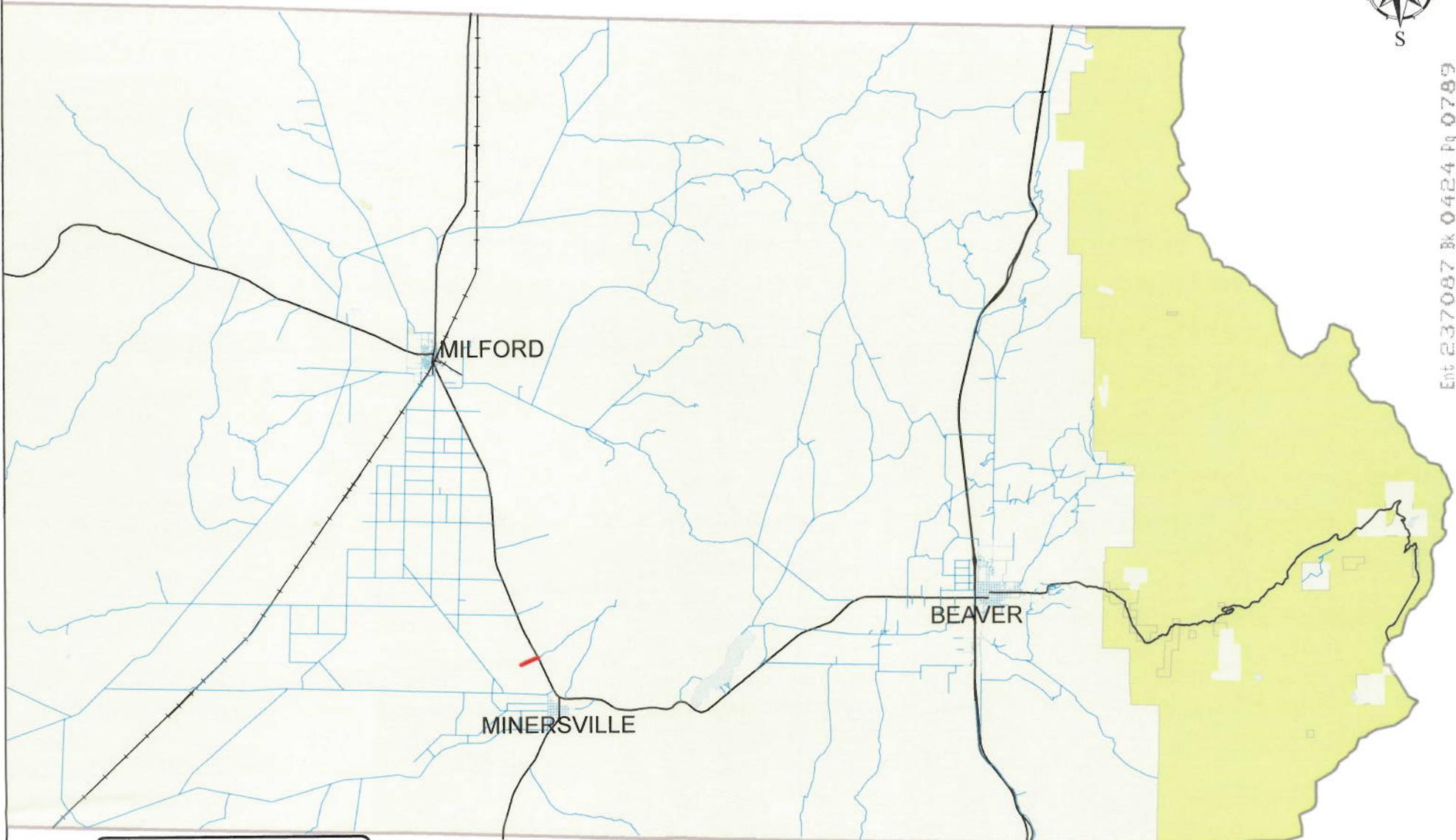
  
\_\_\_\_\_  
DEAN CARTER

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



  
\_\_\_\_\_  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS



Ent 237087 Bk 0424 Pg 0789

**Legend**

-  Low Line Canal Road
-  County B Roads
-  State Highways
-  UPRR

**LOW LINE CANAL ROAD  
B-90**

MAP VIEW AREA



CREATED BY BEAVER CO GIS DEPT

## Exhibit B

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

**Popular Name: LOW LINE CANAL ROAD**

**County: Beaver**

**County Road Number: B-90**

**State Geographic Information Database (SGID) Road Identification Number: RD010171.**

**Total Road Length: 0.68 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 14 minutes 10.76 seconds North Latitude and -112 degrees 56 minutes 59.07 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,224,022.0 feet and Y = 10,417,281.2 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 14 minutes 24.81 seconds North Latitude and -112 degrees 56 minutes 18.01 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,227,319.3 feet and Y = 10,418,651.3 feet based on the US Survey Foot conversion.

This road may traverse:

Township 29 South Range 10 West, Section(s) 35, Salt Lake Base & Meridian