

Exhibit A

00578829

B: 1146 P: 1178 Fee \$0.00 Page 2 of 9
Patsy Cutler, Iron County Recorder
10/01/2008 11:21:21 AM By STATE OF UTAH/ATTORNEY GENERAL



AFFIDAVIT OF NEIL JAMIESON FORSYTH
WEST FRONTAGE PARAGONAH ROAD
IRON COUNTY, UTAH
ROAD NUMBER 497A

State of Utah)
 : ss.
County of Iron)

NEIL JAMIESON FORSYTH, 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 Iron County, Utah. I have lived in Iron County since 1954. I am an employee of the Iron County Road Department and have been since August of 1974. I have been the Road Foreman since July of 1987. I have participated in the maintenance of the above referenced road throughout the time period of my employment.

2. I have traveled and am familiar with a road in Iron County known as West Frontage Paragonah Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1970s, it followed the same route as in 2006 when I last observed it. Attached is a Iron County map showing West Frontage Paragonah 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 early 1970s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by means of cars, pickup trucks and road maintenance vehicles. Throughout this time period, the road has been used daily.

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5. Throughout the time period from the early 1970s to the present, I have used the road myself for 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 livestock operations, farming, travel to and from schools, recreation, government access and traveling in and through the area.

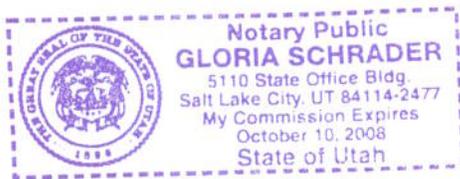
7. It is also the reputation in the community that this road has been open o the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 20th day of December, 2006.


NEIL JAMIESON FORSYTH

SUBSCRIBED AND SWORN to before me this 20th day of December, 2006.




NOTARY PUBLIC

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WEST FRONTAGE PARAGONAH ICO-497A

**WEST FRONTAGE PARAGONAH
ICO-497A**

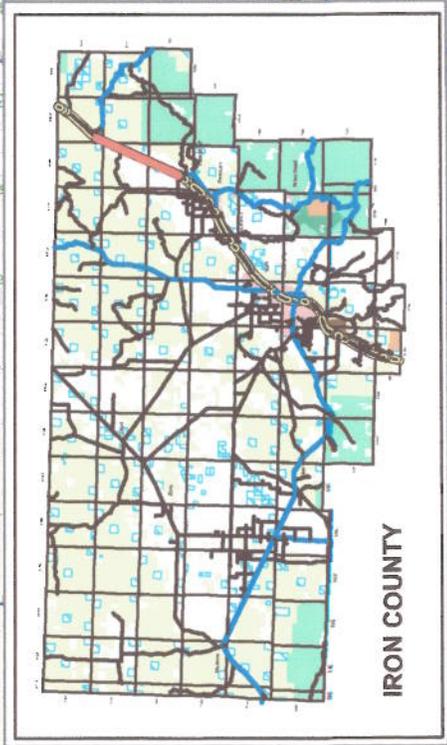
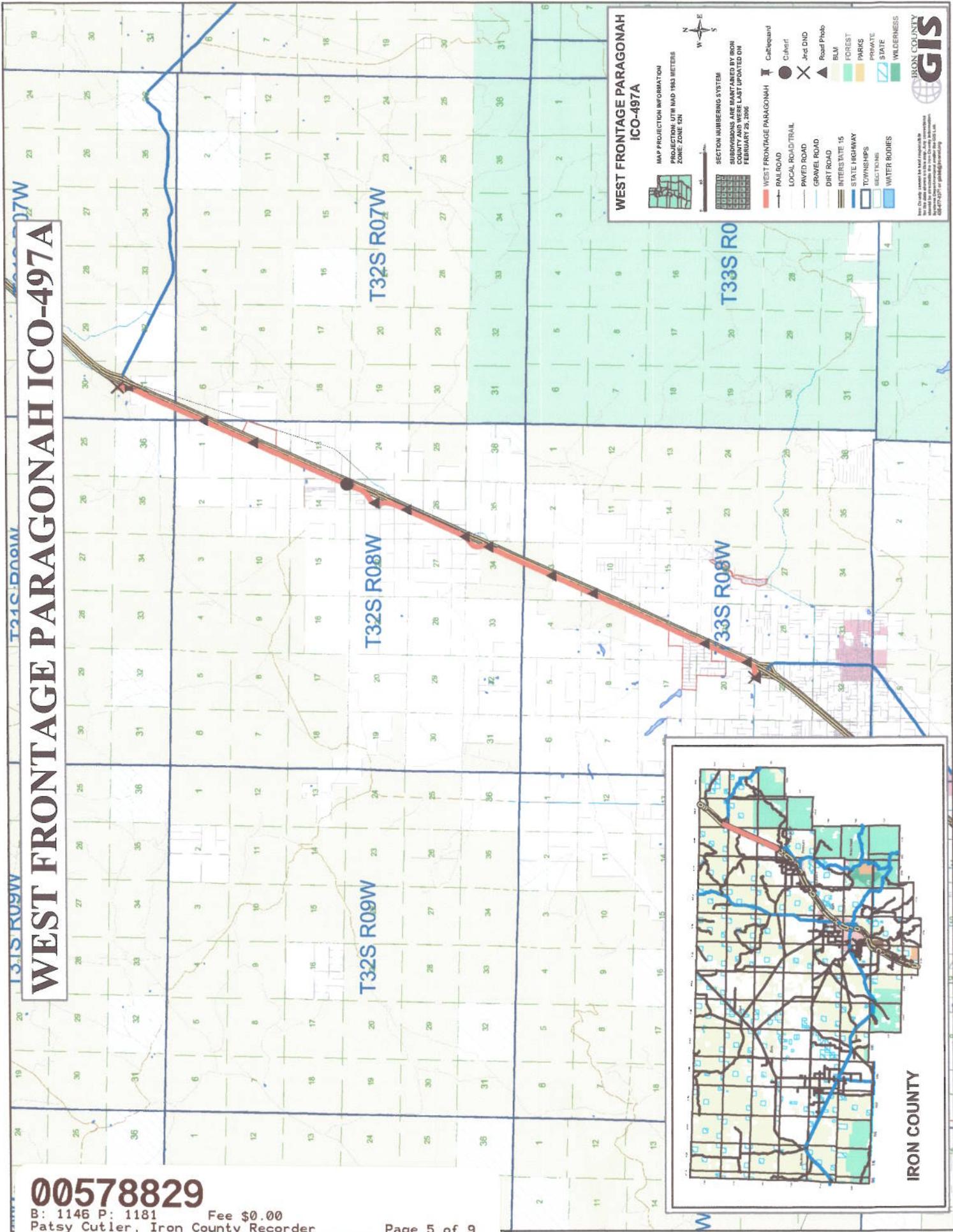
MAP PROJECTION INFORMATION
PROJECTION: UTM WAD 1983 METERS
ZONE: 12N

SECTION NUMBERING SYSTEM
SUBDIVISIONS ARE MAINTAINED BY IRON COUNTY AND WERE LAST UPDATED ON FEBRUARY 25, 2006

IRON COUNTY GIS

Legend:

- WEST FRONTAGE PARAGONAH
- RAILROAD
- LOCAL ROAD/TRAIL
- PAVED ROAD
- GRAVEL ROAD
- DIRT ROAD
- INTERSTATE 15
- STATE HIGHWAY
- TOWNSHIPS
- SECTIONS
- WATER BODIES
- Callroad
- Culvert
- Jct DND
- Road Photo
- BLM
- FOREST
- PARKS
- PRIVATE
- STATE
- WILDERNESS



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AFFIDAVIT OF LYNN FIACK
WEST FRONTAGE PARAGOHAN ROAD
IRON COUNTY, UTAH
ROAD NUMBER 497A

State of Utah)
 : ss.
County of Iron)

LYNN FIACK, 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 Iron County, Utah. I have lived in Iron County since 1942. I was an employee of the Iron County Road Department from 1963 to 1987 and served as the Road Foreman from 1974 to 1987. I participated in the maintenance of the above referenced road during that time.

2. I have traveled and am familiar with a road in Iron County known as West Frontage Paragonah Road. I am also familiar with the land the road traverses. When I first used and observed the road in the mid 1960s, it followed the same route as in 2006 when I last observed it. Attached is a Iron County map showing West Frontage Paragonah 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 mid 1960s and continuing through 1976 to 1987. Throughout this time period I have observed travel on the road by means of pickup trucks, cars, road maintenance vehicles and trucks. Throughout this time period, the road has been used daily.

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5. Throughout the time period from the mid 1960s to 1987, I have used the road myself for road maintenance and travel in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed vehicles from the general public using the road at various times for livestock operations, travel to and from schools, and traveling in and through the area.

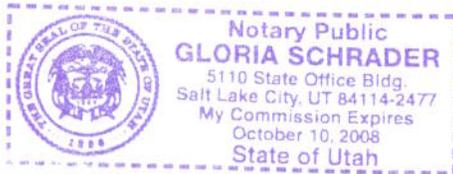
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the mid 1960s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I performed and observed maintenance and construction activities on the road. The road was constructed when Interstate 15 was built.

DATED this 21 day of December, 2006.


LYNN FIACK

SUBSCRIBED AND SWORN to before me this 21st day of December, 2006.




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WEST FRONTAGE PARAGONAH ICO-497A



**WEST FRONTAGE PARAGONAH
ICO-497A**

MAP PROJECTION INFORMATION
PROJECTION: UTM M40 1983 METERS
ZONE: 12N

SECTION NUMBERING SYSTEM
SUBSECTIONS ARE MAINTAINED BY IRON COUNTY AND WERE LAST UPDATED ON FEBRUARY 25, 2006

WEST FRONTAGE PARAGONAH

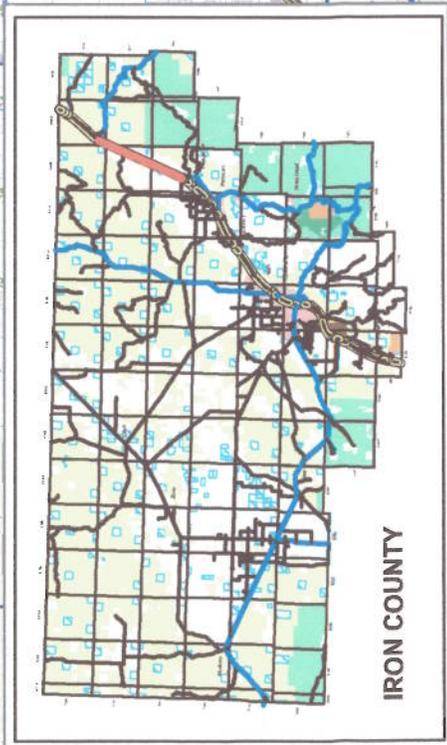
- Railroad
- Local Road/Trail
- Paved Road
- Gravel Road
- Dirt Road
- Interstate 15
- State Highway
- Townships
- Sections
- Water Bodies

Calloused

- Clear
- Jet DND
- Road Photo
- BLM
- Forest
- Private
- State
- Wilderness

IRON COUNTY GIS

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Exhibit B

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

Popular Name: WEST FRONTAGE PARAGONAH ROAD

County: Iron

County Road Number: 497A

State Geographic Information Database (SGID) Road Identification Number: RD110399.

Total Road Length: 12.31 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 54 minutes 41.97 seconds North Latitude and -112 degrees 46 minutes 45.59 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,271,346.9 feet and Y = 10,298,350.4 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 04 minutes 20.72 seconds North Latitude and -112 degrees 41 minutes 25.64 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,297,729.9 feet and Y = 10,356,549.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 31 South Range 7 West, Section(s) 31, Salt Lake Base & Meridian

Township 32 South Range 7 West, Section(s) 6, Salt Lake Base & Meridian

Township 32 South Range 8 West, Section(s) 1,12,13,14,23,26,34,35, Salt Lake Base & Meridian

Township 33 South Range 8 West, Section(s) 3,9,10,16,20,21,29, Salt Lake Base & Meridian

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