

Exhibit A

DOC # 00354967

Affidavits B: 0603 P: 0002
Jayrene B Nielsen Sevier County Recorder Page 2 of 9
07/01/2008 11:13:34 AM Fee \$0.00 By GOVERNOR OF STATE 0



AFFIDAVIT OF JERALD OLDROYD
HEPPLERS POND ROAD
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6264

State of Utah)
 : ss.
County of Sevier)

JERALD OLDROYD, 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 Glenwood, Sevier County, Utah. I have lived in Sevier County since 1933.
2. I have traveled and am familiar with a road in Sevier County known as the Hepplers Pond Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1945, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing the Hepplers Pond 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 1945 and continuing through 1976 to 2006. During this time period I have observed travel on the road by various means, including automobiles, pickups, bicycles, walking, horses, and four wheelers. During this time period, the road has been used daily.
5. During the time period from 1945 to 2006, I have used the road myself for the following uses: recreation and sightseeing.

DOC # 00354967

Affidavits B: 0603 P: 0003
Jayrene B Nielsen Sevier County Recorder Page 3 of 9
07/01/2008 11:13:34 AM Fee \$0.00 By GOVERNOR OF STATE 0



6. During the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: Livestock operations, farming, hunting, fishing, accessing Glenwood City and Annabella City, and traveling in and through the area.

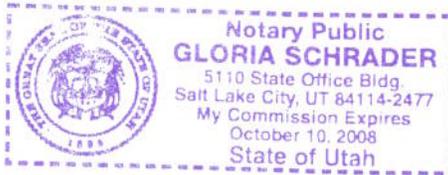
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

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

DATED this 15 day of November, 2006.


JERALD OLDROYD

SUBSCRIBED AND SWORN to before me this 15th day of November, 2006.




NOTARY PUBLIC

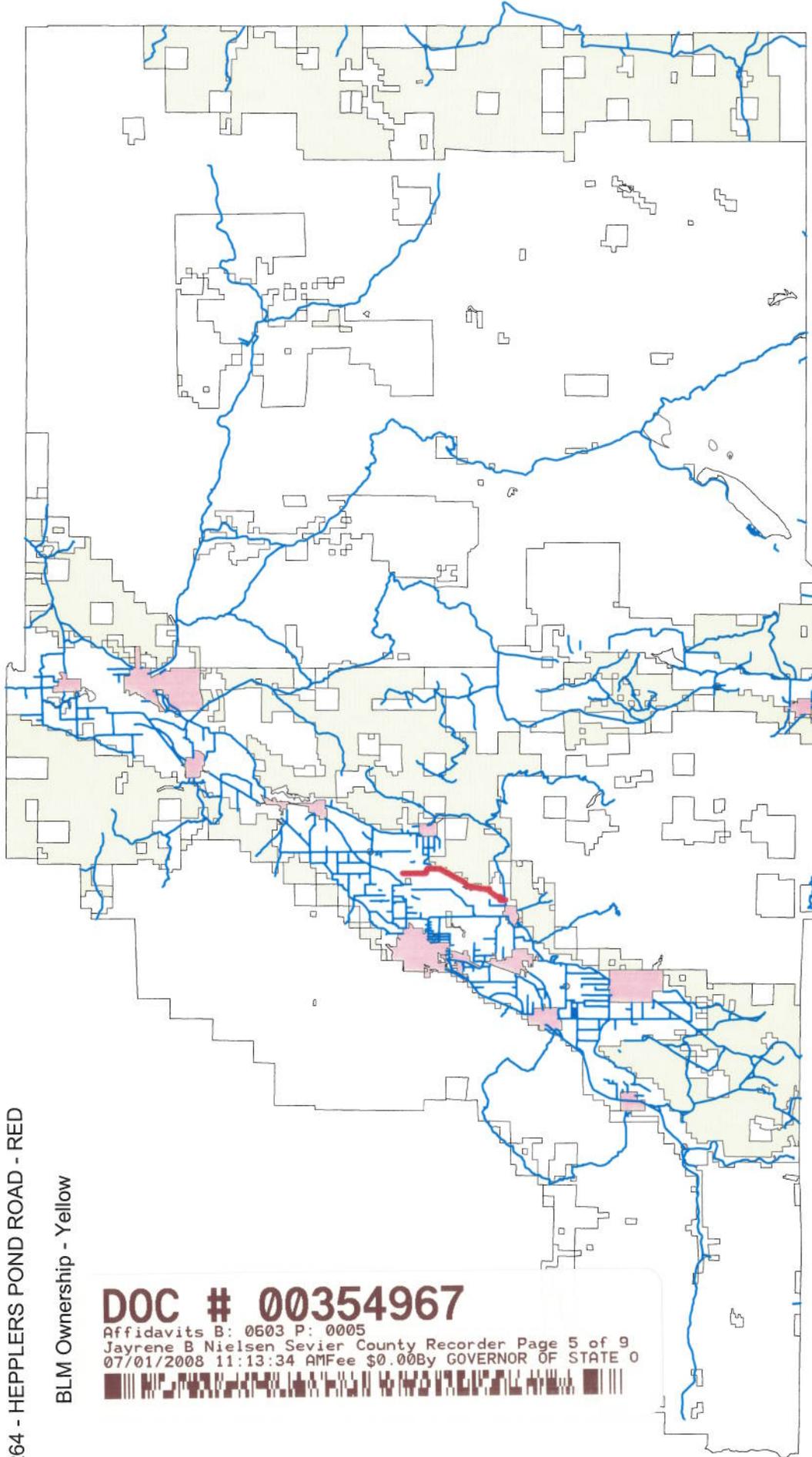
DOC # 00354967

Affidavits B: 0603 P: 0004
Jayrene B Nielsen Sevier County Recorder Page 4 of 9
07/01/2008 11:13:34 AM Fee \$0.00 By GOVERNOR OF STATE 0



SEVIER COUNTY
RS2477
October 18, 2006

Class "B" Maintained Roads - Blue
6264 - HEPPLERS POND ROAD - RED
BLM Ownership - Yellow



DOC # 00354967

Affidavits B: 0603 P: 0005
Jayrene B Nielsen Sevier County Recorder Page 5 of 9
07/01/2008 11:13:34 AM Fee \$0.00 By GOVERNOR OF STATE 0



AFFIDAVIT OF JAMES HOLT
HEPPLERS POND ROAD
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6264

State of Utah)
 : ss.
County of Sevier)

JAMES HOLT, 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 Glenwood, Sevier County, Utah. I have lived in Sevier County since 1926.
2. I have traveled and am familiar with a road in Sevier County known as the Hepplers Pond Road. I am also familiar with the land the road traverses. When I first used and observed the road in approximately 1948, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing the Hepplers Pond 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 approximately 1948 and continuing through 1976 to 2006. During this time period I have observed travel on the road by various means, including automobiles, motorcycles, pickups, horses, and four wheelers. During this time period, the road has been used daily.
5. During the time period from approximately 1948 to 2006, I have used the road myself for the following uses: Hunting, fishing, sightseeing, painting, and prospecting minerals.

DOC # 00354967

Affidavits B: 0603 P: 0006
Jayrene B Nielsen Sevier County Recorder Page 6 of 9
07/01/2008 11:13:34 AM Fee \$0.00 By GOVERNOR OF STATE 0



6. During the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: Digging gravel, prospecting for minerals, livestock operations, farming, tourism, recreation, accessing Annabella and Glenwood, 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 late 1800's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

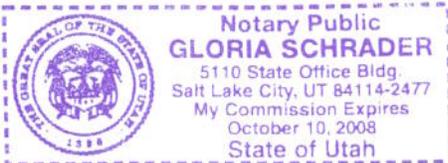
8. Prior to 1976, I observed graded surface of the road.

DATED this 15TH day of November, 2006.



JAMES HOLT

SUBSCRIBED AND SWORN to before me this 15th day of November, 2006.





NOTARY PUBLIC

DOC # 00354967

Affidavits B: 0603 P: 0007
Jayrene B Nielsen Sevier County Recorder Page 7 of 9
07/01/2008 11:13:34 AM Fee \$0.00 By GOVERNOR OF STATE 0

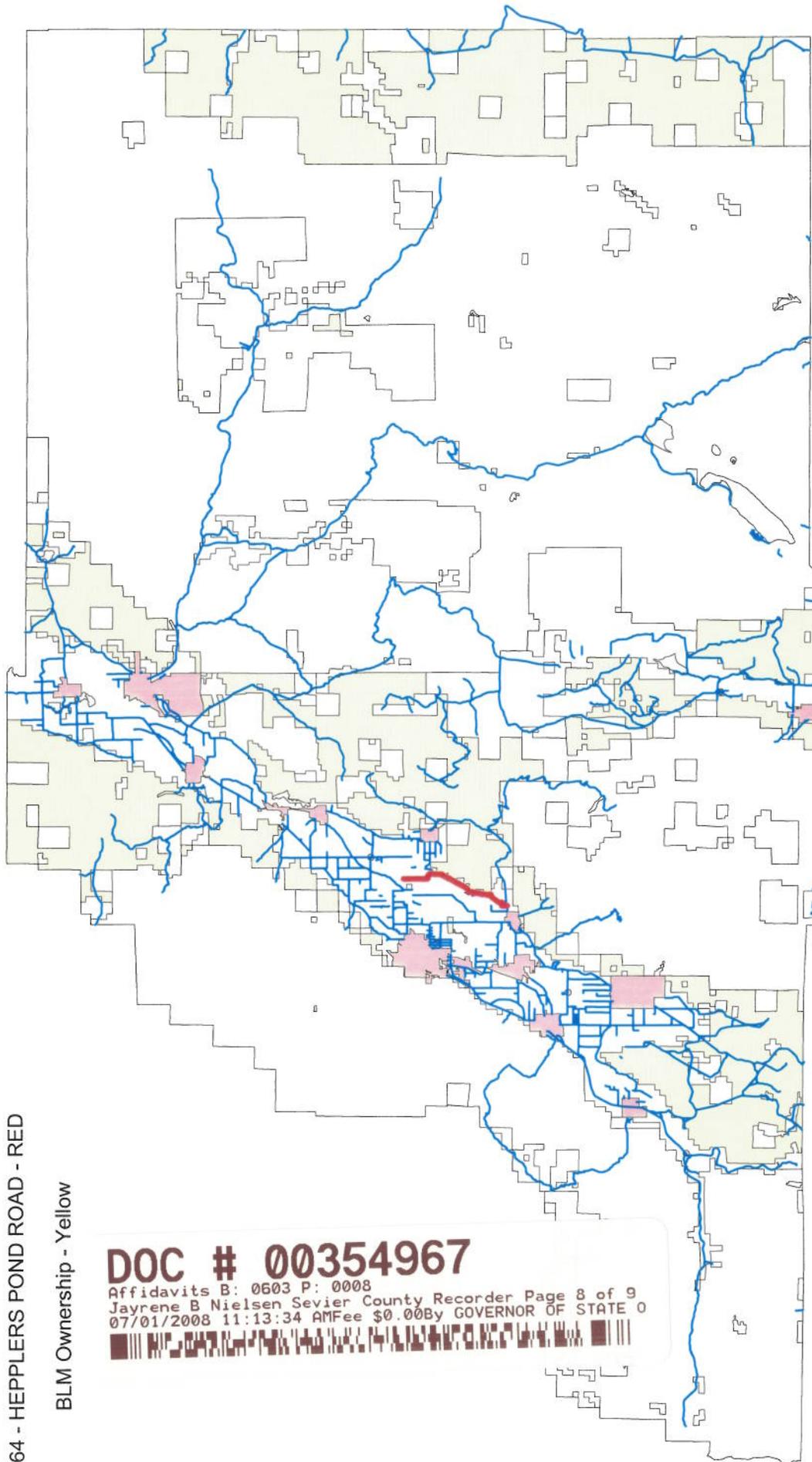


SEVIER COUNTY
RS2477
October 18, 2006

Class "B" Maintained Roads - Blue

6264 - HEPPLERS POND ROAD - RED

BLM Ownership - Yellow



DOC # 00354967

Affidavits B: 0603 P: 0008
Jayrene B Nielsen Sevier County Recorder Page 8 of 9
07/01/2008 11:13:34 AM Fee \$0.00 By GOVERNOR OF STATE 0



Exhibit B

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

Popular Name: 213g, 213ga_Hepplers Pond Road

County: Sevier

County Road Number: 6264

State Geographic Information Database (SGID) Road Identification Number: RD210066.

Total Road Length: 5.68 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 42 minutes 35.85 seconds North Latitude and -112 degrees 02 minutes 49.24 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,484,307.0 feet and Y = 6,699,330.6 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 46 minutes 46.45 seconds North Latitude and -112 degrees 01 minutes 28.46 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,490,858.9 feet and Y = 6,724,646.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 23 South Range 2 West, Section(s) 21,28,33, Salt Lake Base & Meridian

Township 24 South Range 2 West, Section(s) 4,5,8,17, Salt Lake Base & Meridian

DOC # 00354967

Affidavits B: 0603 P: 0009
Jayrene B Nielsen Sevier County Recorder Page 9 of 9
07/01/2008 11:13:34 AM Fee \$0.00 By GOVERNOR OF STATE 0

