



## Exhibit A

AFFIDAVIT OF J. CHARLES BREWER

BLUE MOUNTAIN ROAD

UINTAH COUNTY, UTAH

COUNTY ROAD NUMBER 1550

State of Utah                    )  
  : ss  
County of Uintah                )

J. CHARLES BREWER, 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 Uintah County, Utah. I have lived in Uintah County 64 years.

2. I have traveled and am familiar with a road in Uintah County known as the Blue Mountain Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as March of 2006, when I last observed it. Attached is a Uintah County map showing Blue Mountain 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 identifies this road according to the road number described 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 1960s and continuing through 1976 to the present. During this time period I have observed travel on the road by various means, including trucks and jeeps. During this time period, the road has been used daily up to March of 2006.

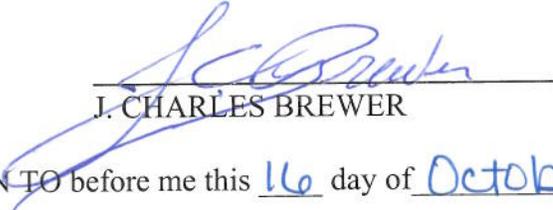
5. During the time period from the early 1960s to March of 2006, I have used the road myself for the following uses: wood gathering, livestock operations, hunting and recreation.

6. During the time period described in the previous paragraph, I observed vehicles using the road at various times for hunting, timber gathering, camping, sightseeing, recreation, hang gliding, 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 the early 1960s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of construction performed on the road prior to 1976: Construction of the road was done by bulldozer.

Dated this 16 day of October, 2006.

  
J. CHARLES BREWER

SUBSCRIBED AND SWORN TO before me this 16 day of October, 2006.



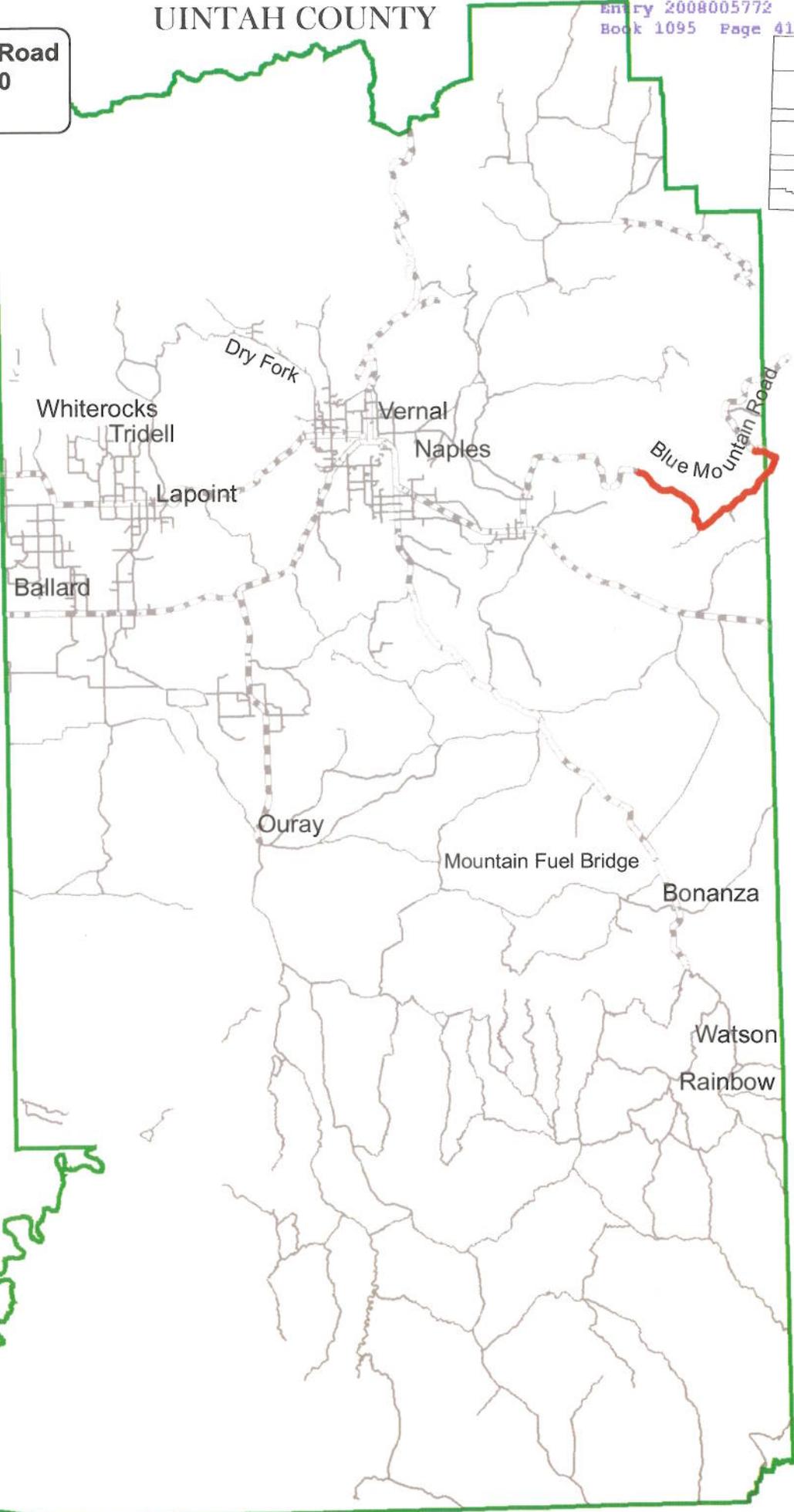
  
Notary Public

# UINTAH COUNTY

Entry 2008005772  
Book 1095 Page 41



**Blue Mountain Road**  
Road # 1550  
RD240554



**Legend**

-  Blue Mountain Road
- Roads**
-  Class B Roads
-  Federal or State
-  Uintah County



**AFFIDAVIT OF DUANE BOREN**

**BLUE MOUNTAIN ROAD**

**UINTAH COUNTY, UTAH**

**COUNTY ROAD NUMBER 1550**

State of Utah                    )  
  : ss  
County of Uintah                )

DUANE BOREN, 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 Uintah County, Utah. I have lived in Uintah County 55 years.
2. I have traveled and am familiar with a road in Uintah County known as the Blue Mountain Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1959, it followed the same route as in 2006, when I last observed it. Attached is a Uintah County map showing Blue Mountain 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 identifies this road according to the road number described 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 1959 and continuing through 1976 to the present. During this time period I have observed travel on the road by various means, including cars and pick up trucks. During this time period, the road has been used daily.
5. During the time period from 1959 to the present, I have used the road myself for hunting , logging and recreation.

6. During the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph plus 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 1960s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of construction and maintenance performed on the road prior to 1976: I observed graders doing maintenance since the 1960s.

Dated this 18 day of OCT, 2006.

J. Duane Boren  
DUANE BOREN

SUBSCRIBED AND SWORN TO before me this 18 day of OCT, 2006.

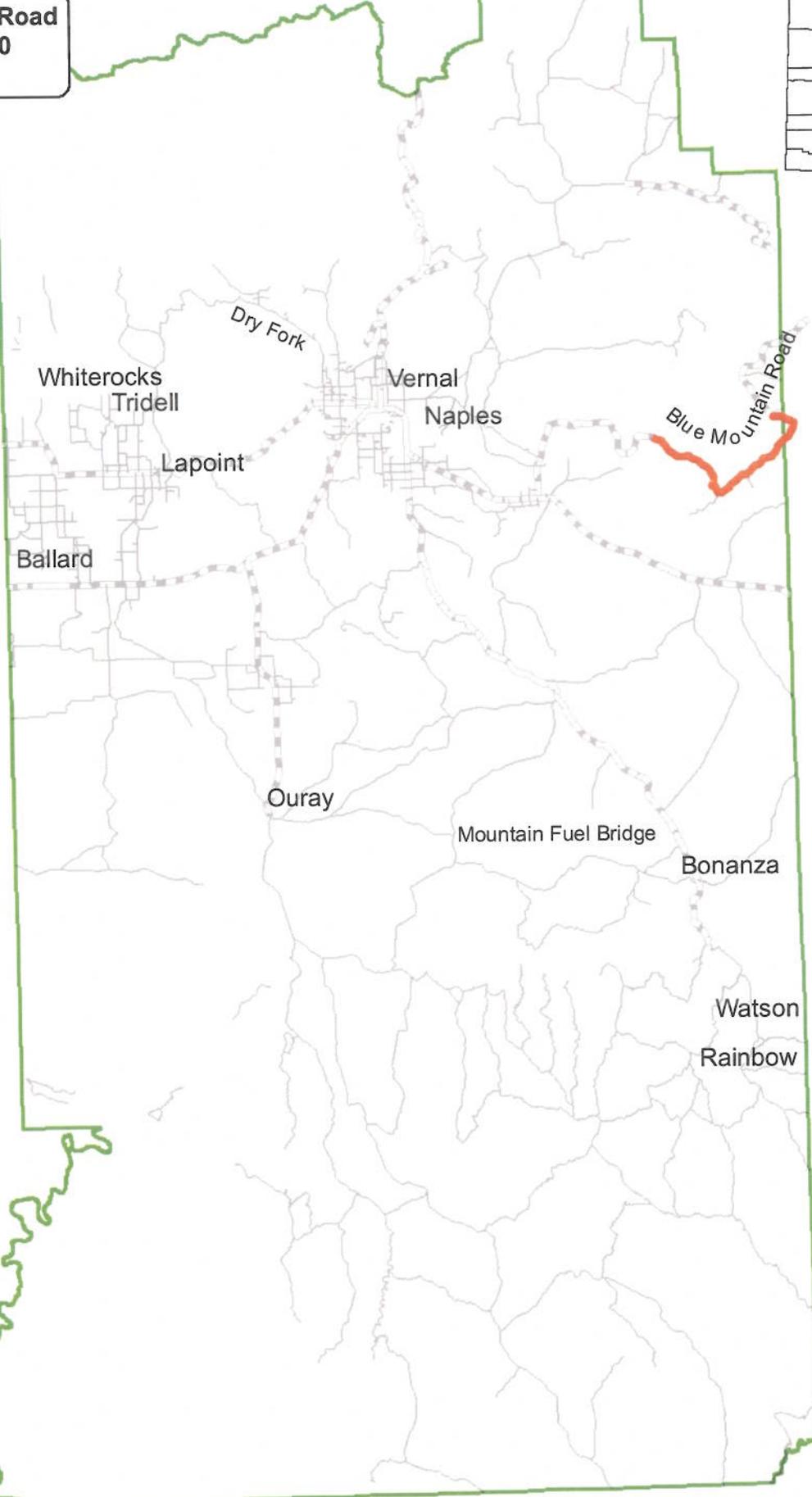
[Signature]  
Notary Public  
UTAH 6 RECORDED



# UINTAH COUNTY



**Blue Mountain Road**  
Road # 1550  
RD240554



**Legend**

- Blue Mountain Road
- Roads**
- Class B Roads
- Federal or State
- Uintah County



## Exhibit B

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

**Popular Name: Blue Mountain Road**

**County: Uintah**

**County Road Number: 1550**

**State Geographic Information Database (SGID) Road Identification Number: RD240554.**

**Total Road Length: 12.85 miles more or less.**

**Beginning at a point** on the road centerline located at 40 degrees 25 minutes 015.7 seconds North Latitude and -109 degrees 12 minutes 18.98 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,279,247.0 feet and Y = 7,330,287.6 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 40 degrees 26 minutes 10.95 seconds North Latitude and -109 degrees 03 minutes 03.62 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,322,030.4 feet and Y = 7,337,015.2 feet based on the US Survey Foot conversion.

This road may traverse:

Township 4 South Range 25 East, Section(s) 25,26, Salt Lake Base & Meridian

Township 5 South Range 24 East, Section(s) 2,3,11,12, Salt Lake Base & Meridian

Township 5 South Range 25 East, Section(s) 1,7,10,11,12,15,16,17,18,19,20,21, Salt Lake Base & Meridian

Undefined 1,25, Salt Lake Base & Meridian