



## Exhibit A

**AFFIDAVIT OF BROWNIE E. TOMLINSON**

**FLAT ROCK ROAD**

**UINTAH COUNTY, UTAH**

**COUNTY ROAD NUMBER 5450**

State of Utah            )  
                                  : ss  
County of Uintah        )

BROWNIE E. TOMLINSON, 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 and have done so for 50 years.

2. I have traveled and am familiar with a road in Uintah County known as the Flat Rock Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1954 it followed the same route as in 2004 when I last observed it. Attached is a Uintah County map showing Flat Rock Road. 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 as early as the 1954 the road has been open to the public for all to use, including those who traveled by means of pickups, cars and large trucks, to come and go as they pleased since at least as early as 1954 and continuing through 1976 to 2004. During this time period, the road has been used daily.

5. During the time period from the 1954 to 2004, I have used the road myself for the following uses: wood gathering, recreation, traveling in and through the area, hunting and fishing.

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 the following uses: oil and gas exploration or development, prospecting for minerals, tourism, sightseeing, farming, livestock operations and government access.

7. It is 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 1930s 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: BLM and private land owners maintaining the road and I personally observed the graded surface of the road.

DATED this 18 day of Oct, 2006.

  
BROWNIE E. TOMLINSON

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

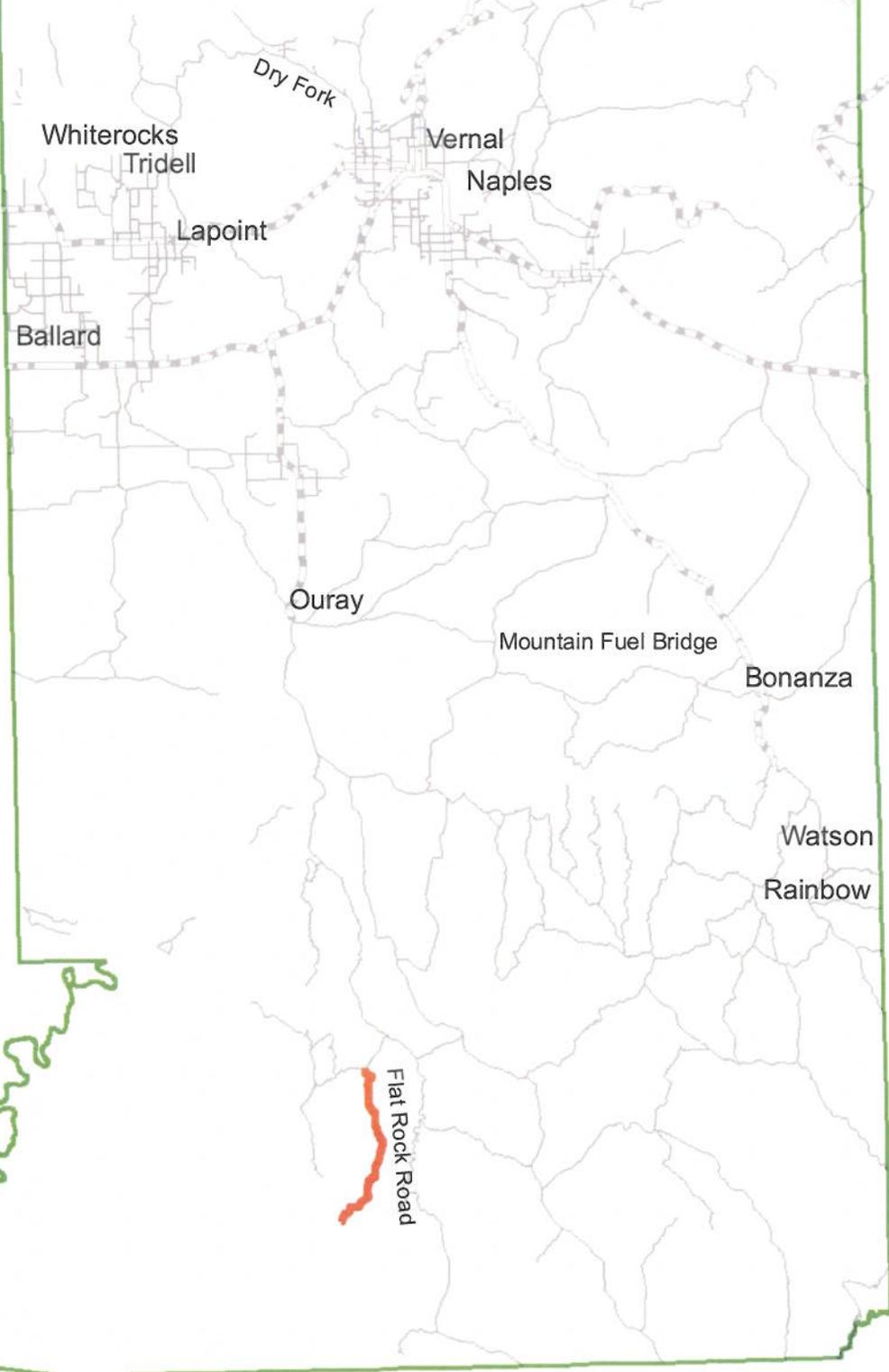
  
NOTARY PUBLIC  
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# UINTAH COUNTY

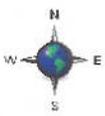
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Book 1095 Page 275

**Flat Rock Road**  
Road # 5450  
RD241301



**Legend**

-  Flat Rock Road
- Roads**
-  Class B Roads
-  Federal or State
-  Uintah County



**AFFIDAVIT OF ARDEN W. STEWART**

**FLAT ROCK ROAD**

**UINTAH COUNTY, UTAH**

**COUNTY ROAD NUMBER 5450**

State of Utah            )  
                                  : ss  
County of Uintah        )

ARDEN W. STEWART, 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 and have done so for 74 years.

2.       I have traveled and am familiar with a road in Uintah County known as the Flat Rock Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1946 it followed the same route as in 2000, when I last observed it. Attached is a Uintah County map showing Flat Rock Road. 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 as early as 1946 the road has been open to the public for all to use, including those who traveled by means of pickups, wagons and horses, to come and go as they pleased since at least as early as 1946 and continuing through 1976 to 2000. During this time period, the road was used frequently and is presently used daily.

5. During the time period from 1946 to 2000, I have used the road myself for livestock operations, hunting, trapping and wood gathering.

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 oil and gas exploration or development, traveling in and through the area, recreation such as camping, picnicking, hiking and/or sightseeing, farming and predator control.

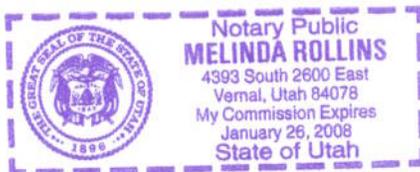
7. It is the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1946 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of construction and maintenance performed on the road prior to 1976: I have personally observed maintenance activities, grader marks and other indications of construction.

DATED this 17 day of October, 2006.

  
ARDEN W. STEWART

SUBSCRIBED AND SWORN to before me this 17 day of October, 2006.



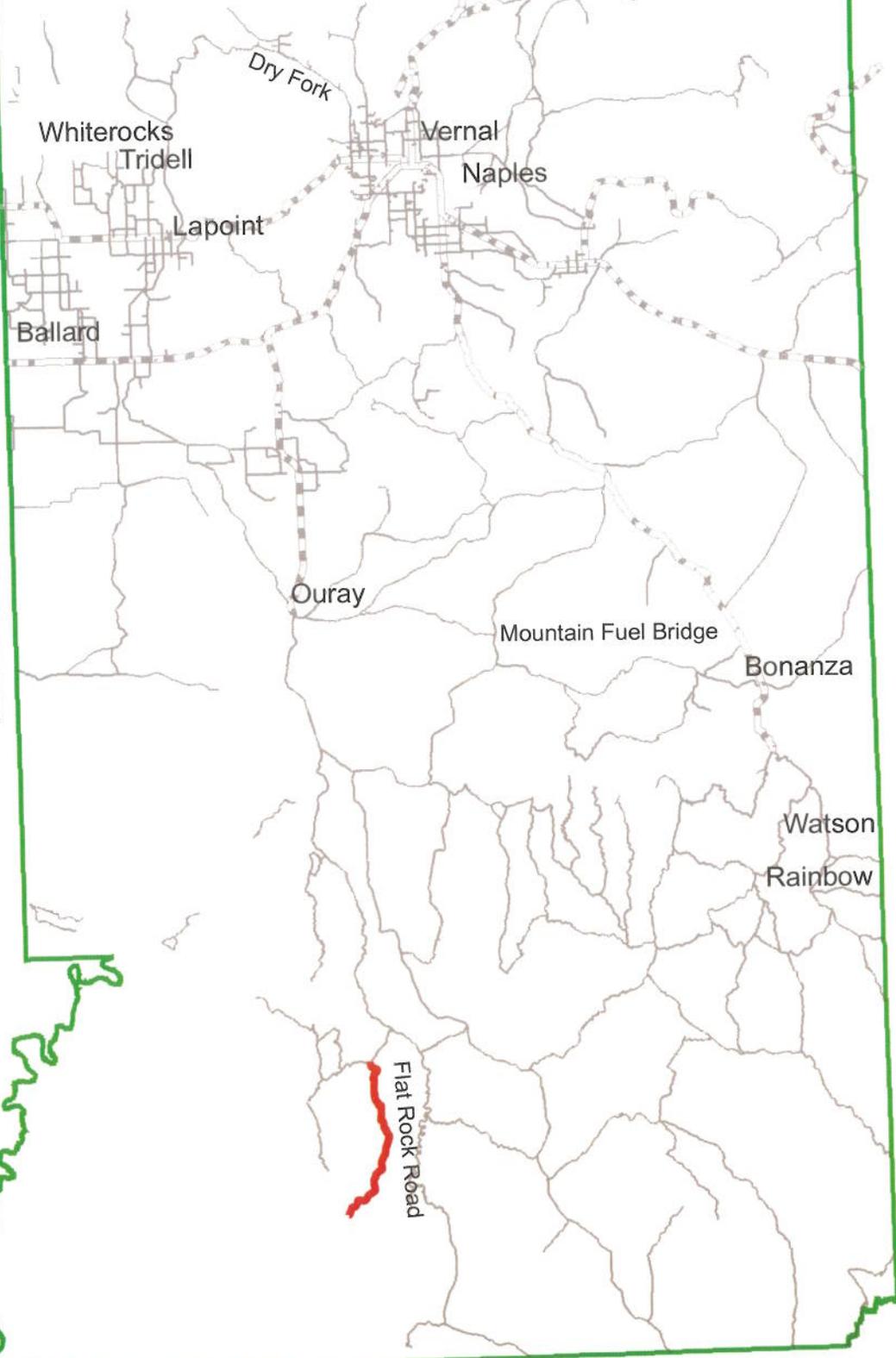
  
NOTARY PUBLIC

# UINTAH COUNTY

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Flat Rock Road  
Road # 5450  
RD241301



## Legend

- Flat Rock Road
- Roads**
- Class B Roads
- Federal or State
- Uintah County



Uintah County



## Exhibit B

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

**Popular Name: Flat Rock Road**

**County: Uintah**

**County Road Number: 5450**

**State Geographic Information Database (SGID) Road Identification Number: RD241301.**

**Total Road Length: 10.96 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 35 minutes 06.08 seconds North Latitude and -109 degrees 38 minutes 14.69 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,165,303.3 feet and Y = 7,023,038.4 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 42 minutes 43.88 seconds North Latitude and -109 degrees 36 minutes 29.86 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,172,529.0 feet and Y = 7,069,518.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 13 South Range 21 East, Section(s) 6,7,18,19,20,29,32, Salt Lake Base & Meridian

Township 14 South Range 20 East, Section(s) 13,23,24, Salt Lake Base & Meridian

Township 14 South Range 21 East, Section(s) 5,6,7,18, Salt Lake Base & Meridian