



## Exhibit A

**AFFIDAVIT OF KENT MARSHALL**

**NORTH WAH WAH ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-13**

State of Utah                    )  
  : ss.  
County of Beaver                )

KENT MARSHALL, 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 North Wah Wah Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1950s, it followed the same route as in the 2005 when I last observed it. Attached is a Beaver County map showing North Wah Wah 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 late 1950s and continuing through 1976 to the late 2005. Throughout this time period I have observed travel on the road by means of pickup trucks. Throughout the time period from the late 1950s to 2005 the road was used daily.

5. Throughout the time period from the late 1950s to 2005, I have used the road myself for hunting, recreation and travel in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed

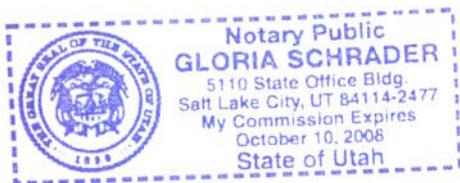
other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus livestock operations, mining and trapping. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 2 day of February, 2007.

Kent Marshall  
KENT MARSHALL

SUBSCRIBED AND SWORN to before me this 2<sup>nd</sup> day of February, 2007.

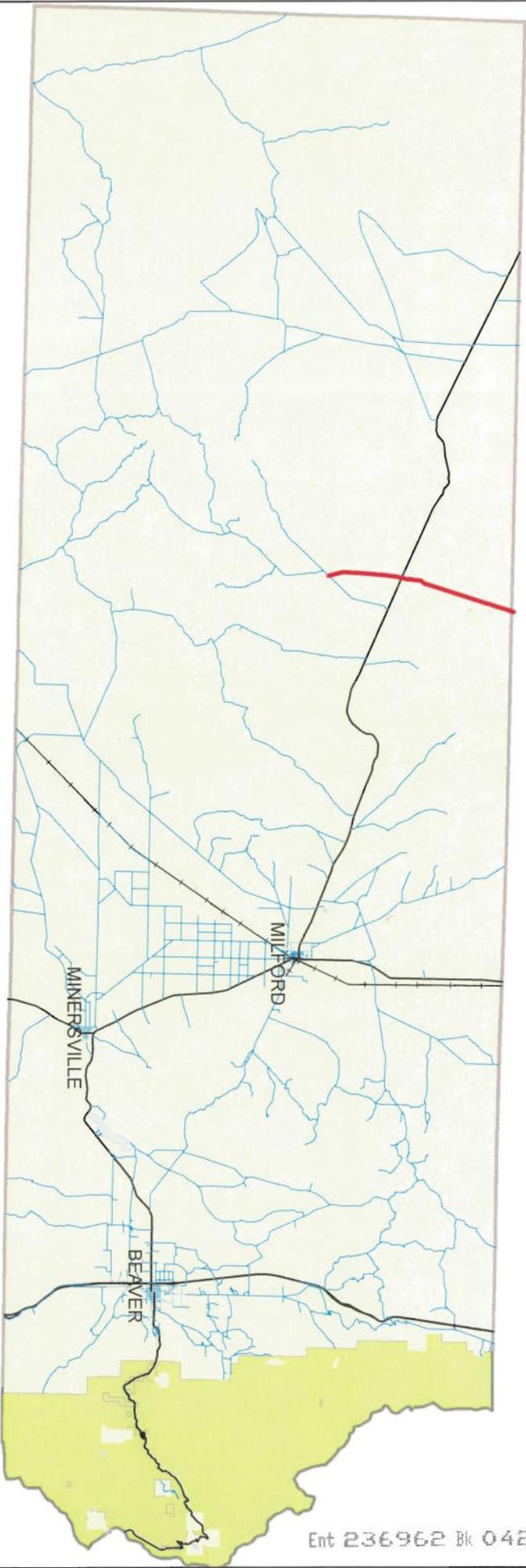


Gloria Schrader  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS



Ent 236962 Bk 0423 Pg 0552



## Legend

- No. Wah Wah Road
- County B Roads
- State Highways
- UPRR

## NO. WAH WAH ROAD B-13

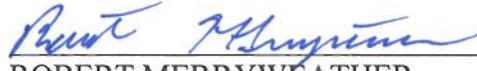


6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus farming and livestock operations.

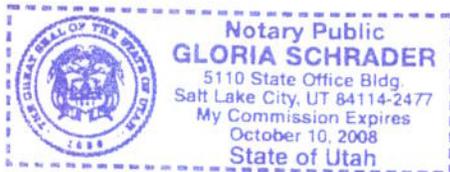
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 1 day of February, 2007.

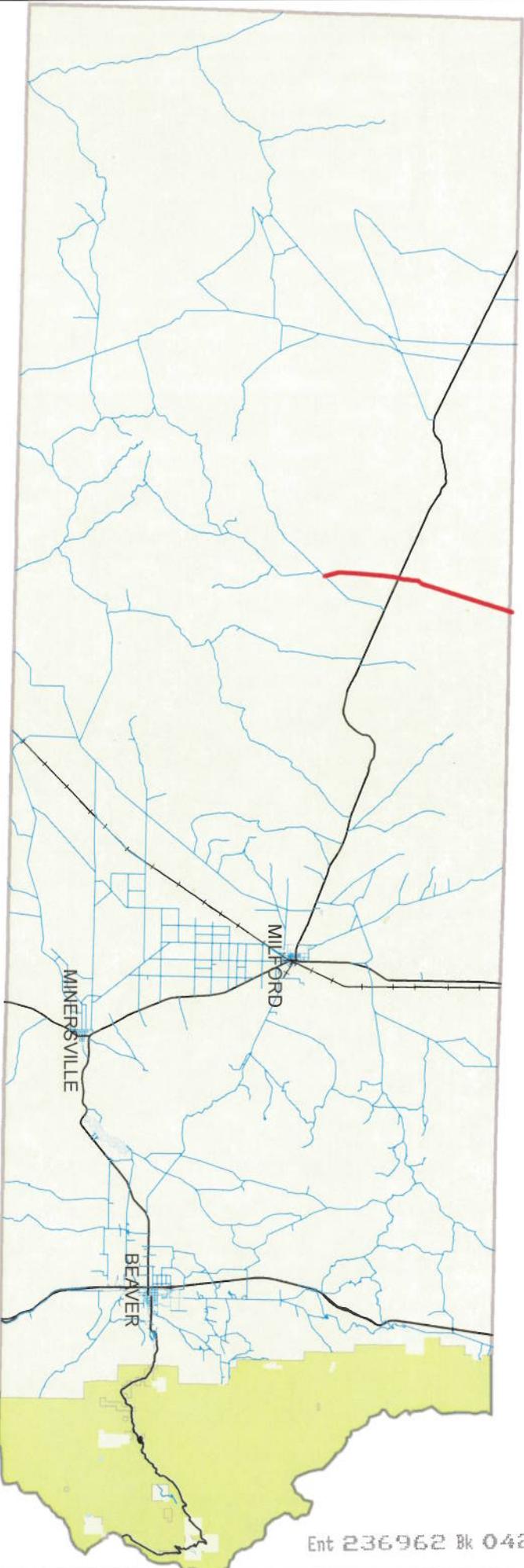
  
ROBERT MERRYWEATHER

SUBSCRIBED AND SWORN to before me this 1<sup>st</sup> day of February, 2007.



  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS



Ent 236962 Bk 0423 Pg 0555

## Legend

- No. Wah Wah Road
- County B Roads
- State Highways
- UPRR

## NO. WAH WAH ROAD B-13

## Exhibit B

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

**Popular Name: NORTH WAH WAH ROAD**

**County: Beaver**

**County Road Number: B-13**

**State Geographic Information Database (SGID) Road Identification Number: RD010030.**

**Total Road Length: 11.52 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 24 minutes 54.41 seconds North Latitude and -113 degrees 25 minutes 59.62 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,086,518.3 feet and Y = 10,484,891.4 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 34 minutes 37.18 seconds North Latitude and -113 degrees 23 minutes 52.27 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,097,848.9 feet and Y = 10,543,629.2 feet based on the US Survey Foot conversion.

This road may traverse:

Township 26 South Range 14 West, Section(s) 2,3,10,15,22,27,28,33, Salt Lake Base & Meridian  
Township 27 South Range 14 West, Section(s) 4,9,16,20,21,29,32,33, Salt Lake Base & Meridian