



**Exhibit A**

**DOC # 00354943**

Affidavits B: 0602 P: 0782  
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07/01/2008 10:30:50 AM Fee \$0.00 By GOVERNOR OF STATE 0



**AFFIDAVIT OF TARVAL TORGERSEN  
WEST SIDE OF KOOSHAREM RESERVOIR ROAD  
SEVIER COUNTY, UTAH  
COUNTY ROAD NUMBER 6079**

State of Utah                    )  
  : ss.  
County of Piute                )

TARVAL TORGERSEN, 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 Greenwich, Piute County, Utah. I have lived in Piute County since 1940.
2. I have traveled and am familiar with a road in Sevier County known as the West Side of Koosharem Reservoir Road (County Road Number 6079). I am also familiar with the land the road traverses. When I first used and observed the road in 1943, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing the West Side of Koosharem Reservoir Road (County Road Number 6079). 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 1943 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including campers, sheep wagons, horses, pickups, autos, jeeps, and four wheelers. Throughout this time period, the road has been used daily in the summer and monthly the rest of the time.
5. Throughout the time period from 1943 to 2006, I have used the road myself for cattle transport, access to cattle irrigation, and travel to Koosharem Reservoir.

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6. Throughout 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: Prospecting for minerals, government access, farming, tourism, recreation, 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 1943 and continuing through 1976 to 2006 for the uses described in the previous paragraphs.

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

DATED this 15 day of November, 2006.

  
\_\_\_\_\_  
TARVAL TORGERSEN

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

  
DAVID WHITTAKER  
NOTARY PUBLIC - STATE OF UTAH  
45 South 100 East  
Circleville, UT 84723  
COMM. EXP. 04-17-2010

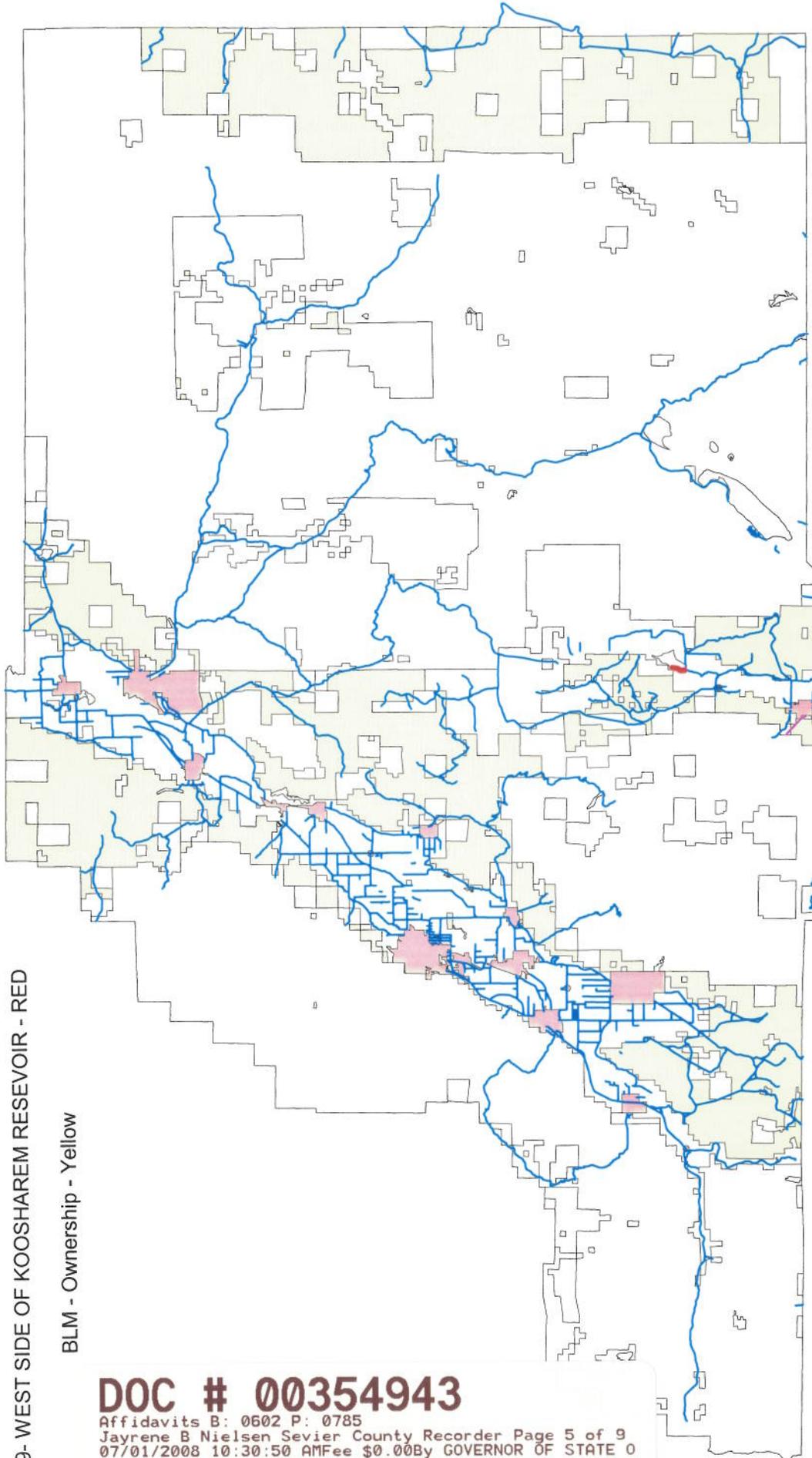
  
NOTARY PUBLIC

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SEVIER COUNTY  
RS2477  
October 19, 2006

Class "B" Maintained Roads - Blue  
6079- WEST SIDE OF KOOSHAREM RESEVOIR - RED  
BLM - Ownership - Yellow



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**AFFIDAVIT OF DEVON ANDERSON  
WEST SIDE OF KOOSHAREM RESERVOIR  
SEVIER COUNTY, UTAH  
COUNTY ROAD NUMBER 6079**

State of Utah                    )  
  : ss.  
County of Sevier                )

DEVON ANDERSON, 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 Richfield, Sevier County, Utah. I have lived in Sevier County since 1950. I am currently employed by the Sevier County Road Department and have been since 2001.

2. I have traveled and am familiar with a road in Sevier County known as the West Side of Koosharem Reservoir Road. I am also familiar with the land the road traverses. When I first used and observed the road in approximately 1954, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing the West Side of Koosharem Reservoir 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 1954 and continuing through 1976 to 2006. During this time period I have observed travel on the road by various means, including automobiles, campers, horseback, 4 wheelers and pickups. During this time period, the road has been used daily.

5. During the time period from approximately 1954 to 2006, I have used the road myself for the following uses: Wood gathering, hunting and traveling in and through the area.

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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: Oil & gas exploration, government access, and livestock operations.

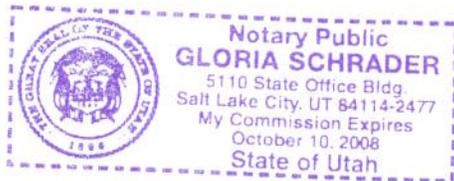
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed graders performing maintenance/construction activities on the road. I have graded it myself since 2002.

DATED this 15 day of November, 2006.

  
DEVON ANDERSON

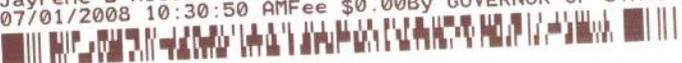
SUBSCRIBED AND SWORN to before me this 15<sup>th</sup> day of November, 2006.



  
NOTARY PUBLIC

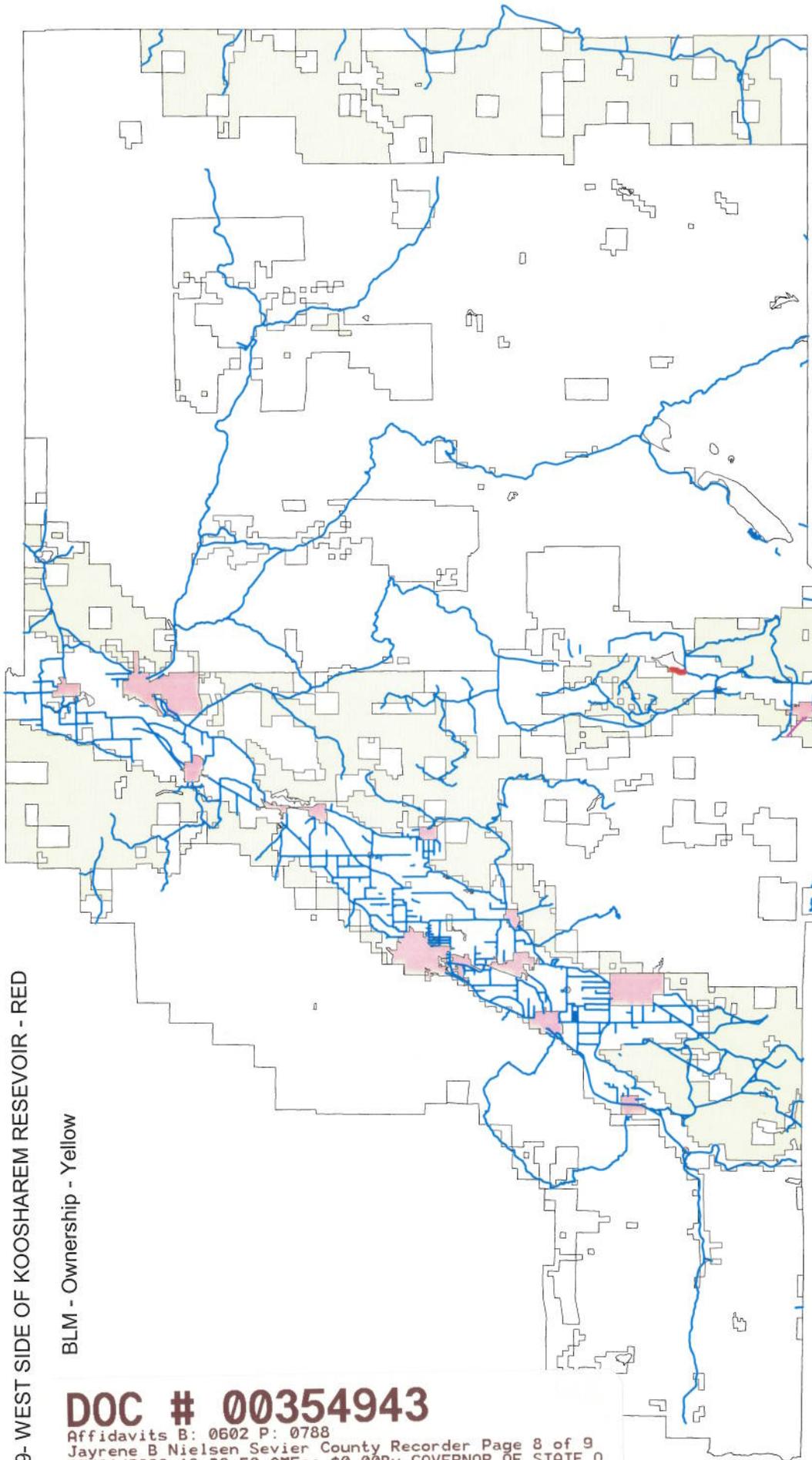
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SEVIER COUNTY  
RS2477  
October 19, 2006

Class "B" Maintained Roads - Blue  
6079- WEST SIDE OF KOOSHAREM RESEVOIR - RED  
BLM - Ownership - Yellow



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## Exhibit B

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

**Popular Name:** 389g\_West Side of Koosharem Reservoir Road

**County:** Sevier

**County Road Number:** 6079

**State Geographic Information Database (SGID) Road Identification Number:** RD210031.

**Total Road Length:** 0.64 miles more or less.

**Beginning at a point** on the road centerline located at 38 degrees 35 minutes 29.89 seconds North Latitude and -111 degrees 50 minutes 57.61 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,540,551.8 feet and Y = 6,655,950.6 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 36 minutes 00.39 seconds North Latitude and -111 degrees 50 minutes 50.05 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,541,163.9 feet and Y = 6,659,033.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 25 South Range 1 East, Section(s) 30,31, Salt Lake Base & Meridian

Township 25 South Range 1 West, Section(s) 36, Salt Lake Base & Meridian

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