

Exhibit A

DOC # 00355006

Affidavits B: 0603 P: 0318
Jayrene B Nielsen Sevier County Recorder Page 2 of 12
07/01/2008 01:59:53 PM Fee \$0.00 By GOVERNOR OF STATE 0



**AFFIDAVIT OF TIM BASTIAN
FROG FLAT ROAD
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6212**

State of Utah)
 : ss.
County of Sevier)

TIM BASTIAN, 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 Aurora, Sevier County, Utah. I have lived in Sevier County since 1951.

2. I have traveled and am familiar with a road in Sevier County known as the Frog Flat Road. I am also familiar with the land the road traverses. When I first used and observed the road in approximately 1961, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing Frog Flat 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 1961 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including trucks, four wheelers, horses, sheep wagons, pickup trucks, automobiles and ATVs. During this time period, the road has been used daily.

5. During the time period from approximately 1961 to 2006, I have used the road myself for the following uses: hunting and traveling to and from the area.

DOC # 00355006

Affidavits B: 0603 P: 0319
Jayrene B Nielsen Sevier County Recorder Page 3 of 12
07/01/2008 01:59:53 PM 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: mining, oil and gas exploration, prospecting for minerals, government access, wood gathering, livestock operations, recreation, hunting, accessing private property, and traveling in and through the area.

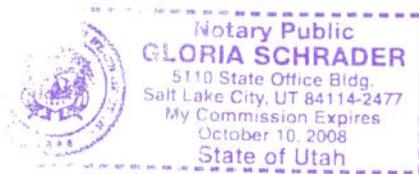
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

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

DATED this 15 day of November, 2006.


TIM BASTIAN

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




NOTARY PUBLIC

**THIS IS NOT A CLEAR
NOTARY SEAL**

DOC # 00355006

Affidavits B: 0603 P: 0320
Jayrene B Nielsen Sevier County Recorder Page 4 of 12
07/01/2008 01:59:53 PM Fee \$0.00 By GOVERNOR OF STATE 0

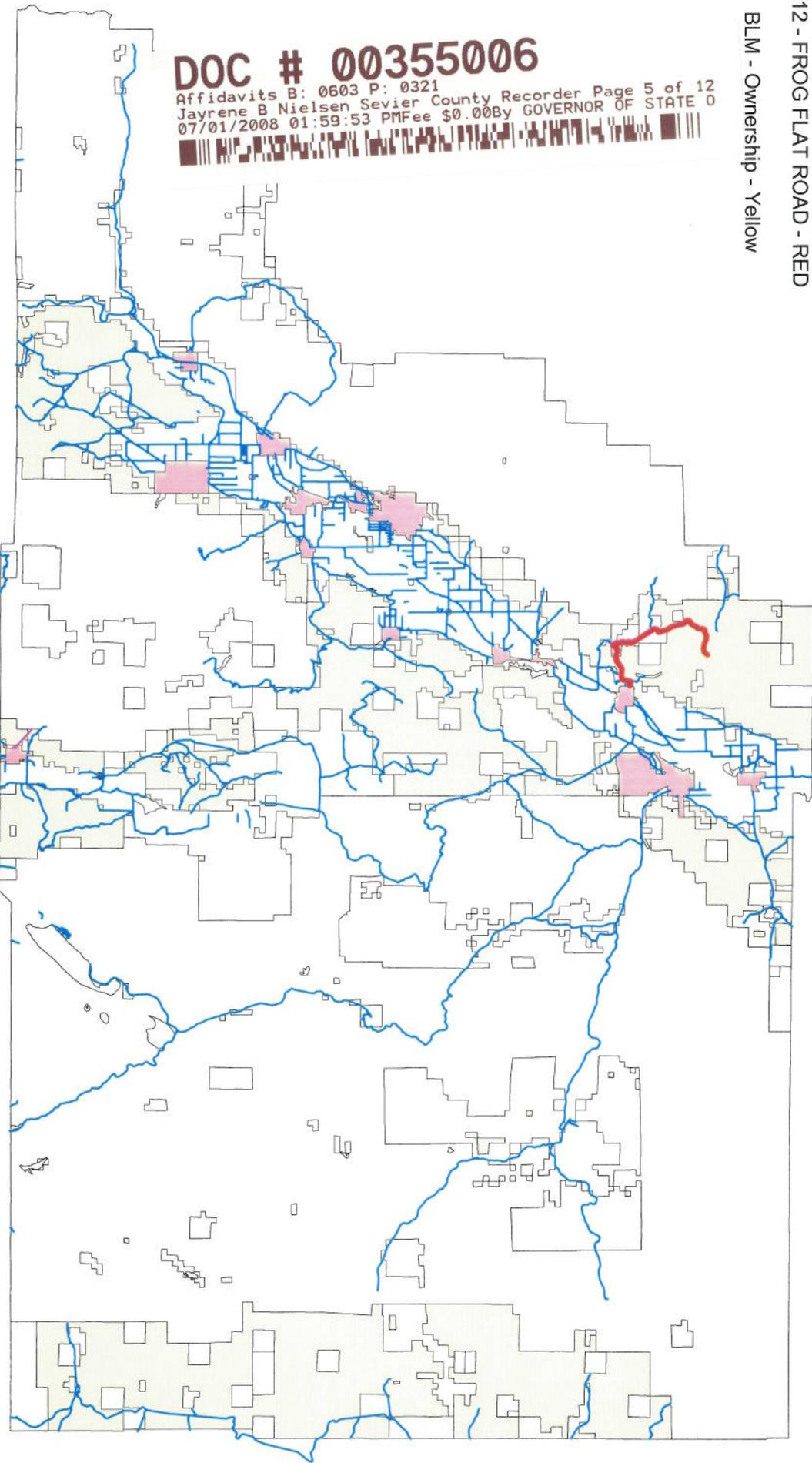
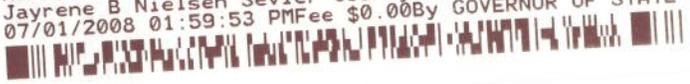
SEVIER COUNTY
RS2477
October 19, 2006

Class "B" Maintained Roads - Blue
6212 - FROG FLAT ROAD - RED

BLM - Ownership - Yellow

DOC # 00355006

Affidavits B: 0603 P: 0321
Jayrene B Nielsen Sevier County Recorder Page 5 of 12
07/01/2008 01:59:53 PM Fee \$0.00 By GOVERNOR OF STATE 0



AFFIDAVIT OF THERRON SHAW
FROG FLAT ROAD
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6212

State of Utah)
 : ss.
County of Sevier)

THERRON SHAW, 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 Aurora, Sevier County, Utah. I have lived in Sevier County for most of the last 60 years.
2. I have traveled and am familiar with a road in Sevier County known as the Frog Flat Road (County Road Number 6212). I am also familiar with the land the road traverses. When I first used and observed the road in the late 1940's, it followed the same route as in 2003 when I last observed it. Attached is a Sevier County map showing the Frog Flat Road (County Road Number 6212). 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 1940's and continuing through 1976 to 2003. Throughout this time period I have observed travel on the road by various means, including wagons, horses, pickups, jeeps, and four wheelers. Throughout this time period, the road has been used daily.
5. Throughout the time period from 1940 to 2003, I have used the road myself for the following uses: Hunting and cattle herding.

DOC # 00355006

Affidavits B: 0603 P: 0322
Jayrene B Nielsen Sevier County Recorder Page 6 of 12
07/01/2008 01:59:53 PM Fee \$0.00 By GOVERNOR OF STATE 0



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: Recreation, wood gathering, and prospecting for minerals.

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 1920s and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

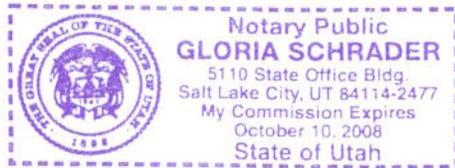
8. Prior to 1976, I observed the graded surface of the road.

DATED this 16 day of November, 2006.



THERRON SHAW

SUBSCRIBED AND SWORN to before me this 16th day of November, 2006.





NOTARY PUBLIC

DOC # 00355006

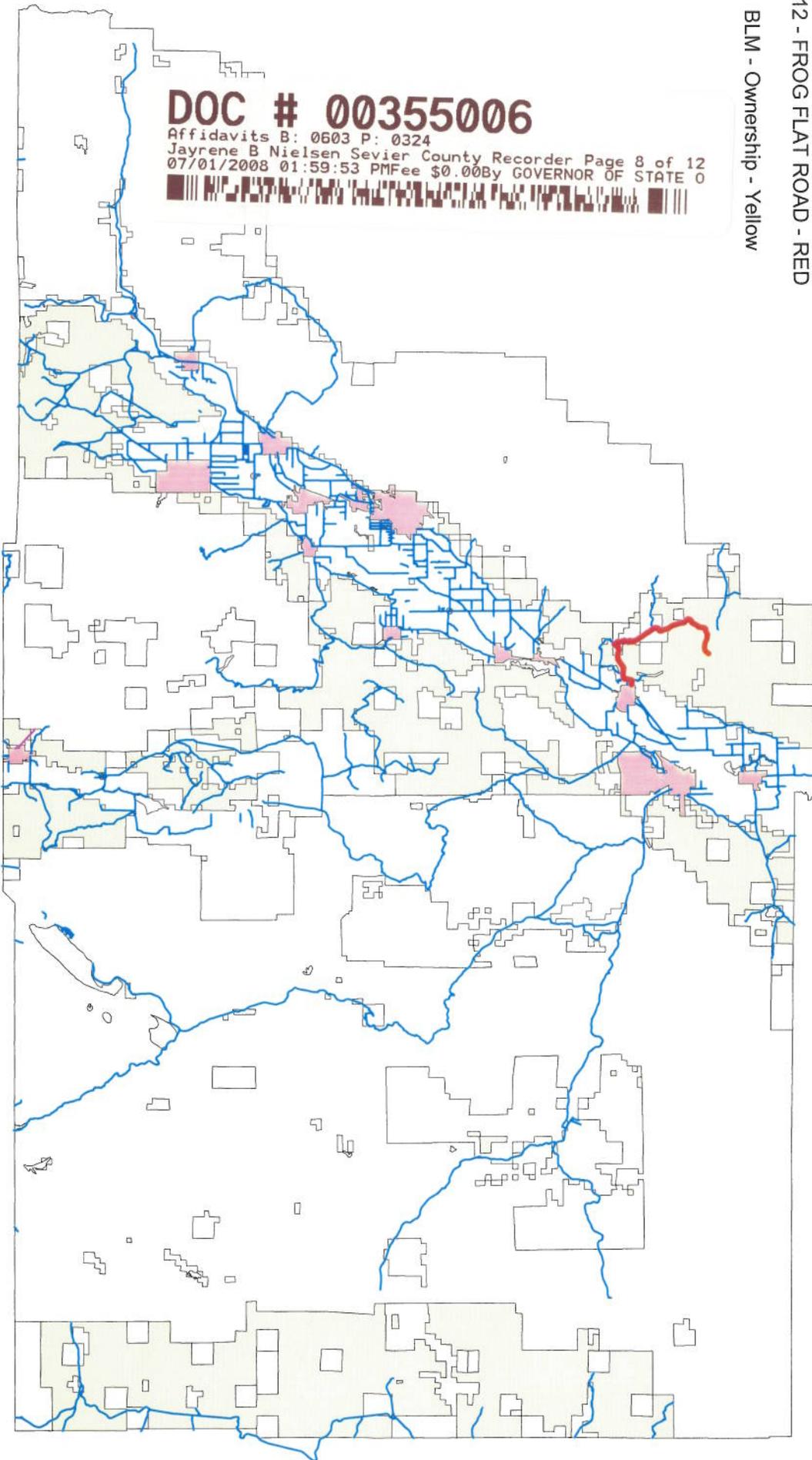
Affidavits B: 0603 P: 0323
Jayrene B Nielsen Sevier County Recorder Page 7 of 12
07/01/2008 01:59:53 PM Fee \$0.00 By GOVERNOR OF STATE 0


SEVIER COUNTY
RS2477
October 19, 2006

Class "B" Maintained Roads - Blue

6212 - FROG FLAT ROAD - RED

BLM - Ownership - Yellow



AFFIDAVIT OF PHIL BARNEY
FROG FLAT ROAD
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6212

State of Utah)
 : ss.
County of Sevier)

PHIL BARNEY, 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 Salina City in Sevier County, Utah. I have lived in Sevier County since 1942. I was born in Sevier County in 1942 leaving in 1967 for another work opportunity and returning to Sevier County in 1977. I have worked in Law Enforcement in Sevier County since 1977 and am presently the Sevier County Sheriff. Work related activities both for Law Enforcement and Search and Rescue has given me first hand knowledge of the majority of the roads in this county.

2. I have traveled and am familiar with a road in Sevier County known as the Frog Flat Road (County Road Number 6212). I am also familiar with the land the road traverses. When I first used and observed the road in 1958, it followed the same route as 2006 when I last observed it. Attached is a Sevier County map showing Frog Flat Road (County Road Number 6212). 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 1958 and continuing through 1976 to 2006.

DOC # 00355006

Affidavits B: 0603 P: 0325
Jayrene B Nielsen Sevier County Recorder Page 9 of 12
07/01/2008 01:59:53 PM Fee \$0.00 By GOVERNOR OF STATE 0


Throughout this time period I have observed travel on the road by various means, including automobiles, pickups, horseback, ATV's, and motorcycles. Throughout this time period, the road has been used monthly.

5. Throughout the time period from 1958 to 2006, I have used the road myself for work related sheriff's activities and investigations, search and rescue and hunting.

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: camping, wood-gathering, picnicking, hiking, and sight-seeing, livestock operations and logging.

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 signs, berms, dug ways, culverts, cattle guards and gravel on the road as well as graders performing maintenance/construction activities on the road.

DATED this 14 day of November, 2006.

Phil Barney

PHIL BARNEY

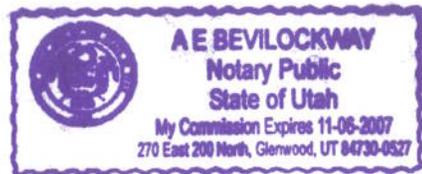
SUBSCRIBED AND SWORN to before me this 14th day of November, 2006.

A E Bevilockway

NOTARY PUBLIC

DOC # 00355006

Affidavits B: 0603 P: 0326
Jayrene B Nielsen Sevier County Recorder Page 10 of 12
07/01/2008 01:59:53 PM Fee \$0.00 By GOVERNOR OF STATE 0



SEVIER COUNTY
RS2477
October 19, 2006

Class "B" Maintained Roads - Blue
6212 - FROG FLAT ROAD - RED

BLM - Ownership - Yellow

DOC # 00355006

Affidavits B: 0603 P: 0327
Jayrene B Nielsen Sevier County Recorder Page 11 of 12
07/01/2008 01:59:53 PM Fee \$0.00 By GOVERNOR OF STATE 0

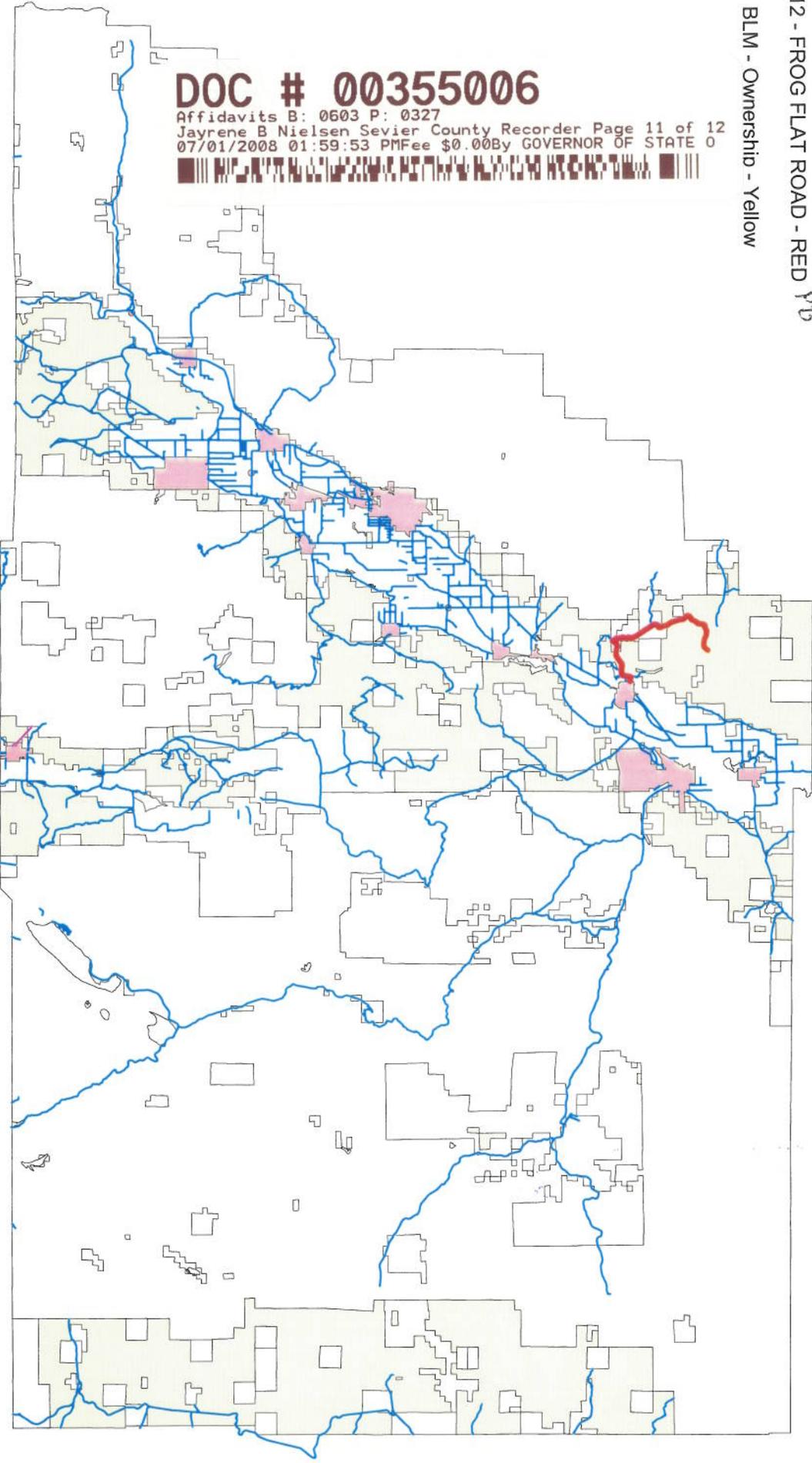


Exhibit B

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

Popular Name: 1009d_Frog Flat Road

County: Sevier

County Road Number: 6212

State Geographic Information Database (SGID) Road Identification Number: RD210058.

Total Road Length: 8.57 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 55 minutes 26.21 seconds North Latitude and -111 degrees 56 minutes 52.42 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,512,983.4 feet and Y = 6,777,113.9 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 58 minutes 31.03 seconds North Latitude and -111 degrees 58 minutes 16.84 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,506,409.7 feet and Y = 6,795,846.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 21 South Range 2 West, Section(s) 13,14,22,23,24,26,35, Salt Lake Base & Meridian

Township 22 South Range 1 West, Section(s) 6, Salt Lake Base & Meridian

Township 22 South Range 2 West, Section(s) 1,2, Salt Lake Base & Meridian

DOC # 00355006

Affidavits B: 0603 P: 0328
Jayrene B Nielsen Sevier County Recorder Page 12 of 12
07/01/2008 01:59:53 PM Fee \$0.00 By GOVERNOR OF STATE 0

