



## Exhibit A

**AFFIDAVIT OF GENE GURR**

Entry 2008005831  
Book 1095 Page 570

**RABBIT MOUNTAIN ROAD**

**UINTAH COUNTY, UTAH**

**COUNTY ROAD NUMBER 4295**

State of Utah                    )  
  : ss  
County of Uintah                )

Gene Gurr, 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 66 years.

2. I have traveled and am familiar with a road in Uintah County known as the Rabbit Mountain Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1955, it followed the same route as in 2004, when I last observed it. Attached is a Uintah County map showing Rabbit 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 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 1955 and continuing through 1976 to the 2004. During this time period, I have observed travel on the road by various means, including trucks. During this time period, the road has been used daily.

5. During the time period from 1955 to 2004, I have used the road myself for hunting and recreation.

6. During the time period described in the previous paragraph, I observed vehicles using the road at various times for the use described in the previous paragraph plus livestock operations and oil and gas exploration and development.

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 1955 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: the graded surface of the road from 1955 to 2004.

Dated this 17 day of October, 2006.

  
\_\_\_\_\_  
Gene Gurr

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



  
\_\_\_\_\_  
Notary Public

# UINTAH COUNTY

Entry 2008005831  
Book 1095 Page 572



**Rabbit Mountain Road**  
Road # 4295  
RD242403

The Lane Road

Whiterocks  
Tridell

Vernal  
Naples

Lapoint

Ballard

Ouray

Mountain Fuel Bridge

Bonanza

Watson  
Rabbit Mountain Road  
Rainbow

## Legend

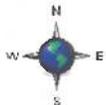
 Rabbit Mountain Road

### Roads

 Class B Roads

 Federal or State

 Uintah County



Uintah County



**AFFIDAVIT OF J. CHARLES BREWER**  
**RABBIT MOUNTAIN ROAD**  
**UINTAH COUNTY, UTAH**  
**COUNTY ROAD NUMBER 4295**

State of Utah            )  
                                  :  
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 Rabbit Mountain Road. I am also familiar with the land the road traverses. When I first used and observed the road in the 1950s, it followed the same route as in 2006 when I last observed it. Attached is a Uintah County map showing Rabbit 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 also identifies this road according to the road number 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 1950s and continuing through 1976 to 2006. During this time period I have observed travel on the road by trucks, jeeps and large 18-wheelers. During this time period, the road has been used daily.

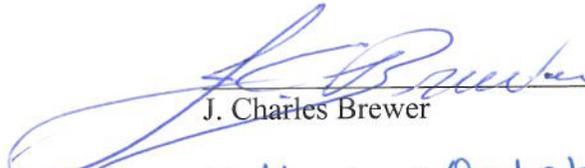
5. During the time period from the 1950s to 2006, I have used the road myself for livestock operations, hunting, oil and gas explorations and development, recreation and wood gathering.

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 mining, prospecting for minerals, traveling in and through the area, recreation such as camping picnicking hiking and sight-seeing, other commerce and government access.

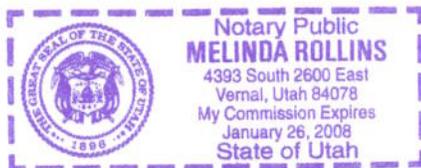
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

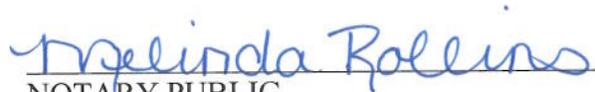
8. I observed the following evidence of maintenance/construction activities on the road prior to 1976: construction and maintenance performed by Uintah County and other entities since the 1950s.

DATED this 16 day of October, 2006.

  
\_\_\_\_\_  
J. Charles Brewer

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

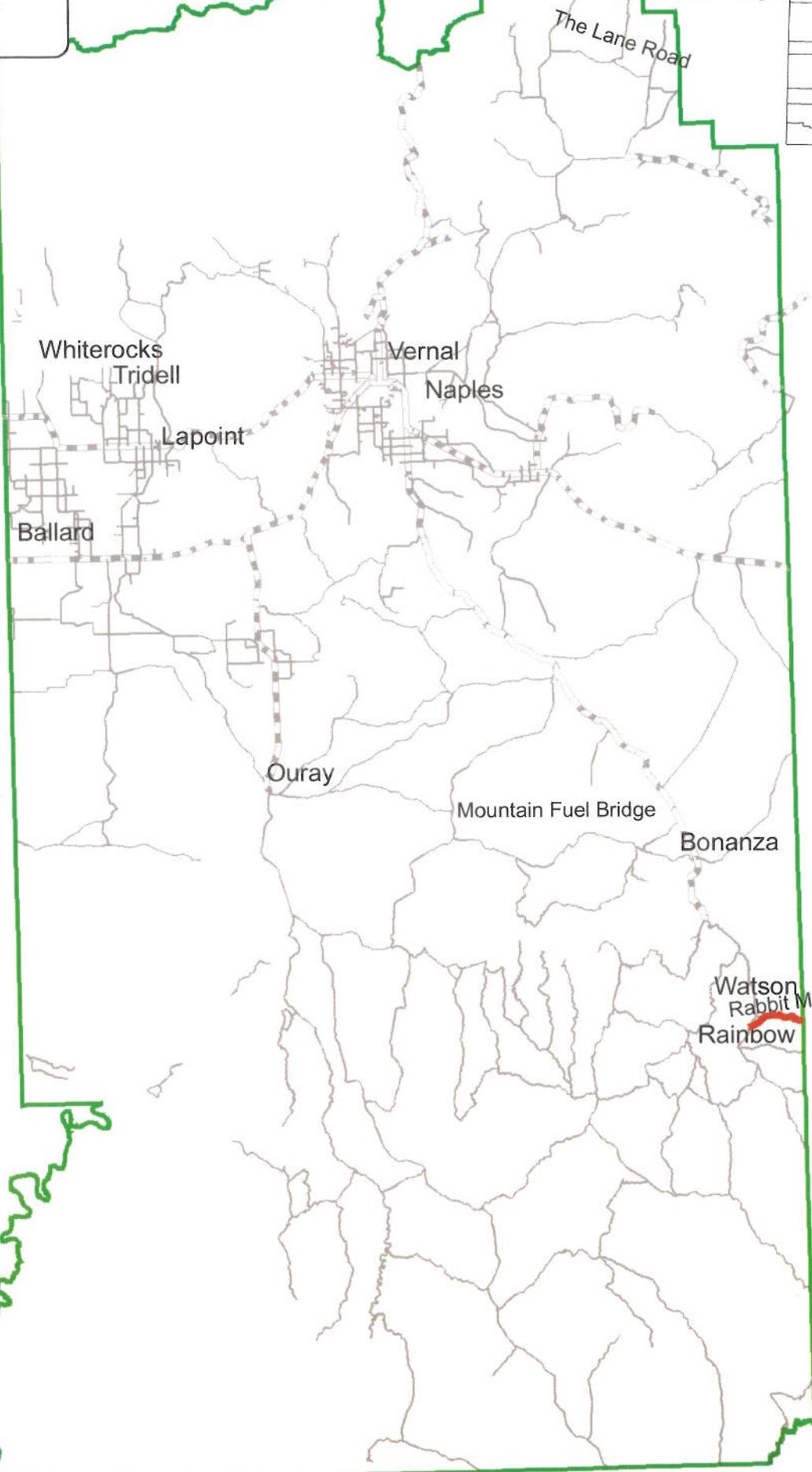


  
\_\_\_\_\_  
NOTARY PUBLIC

# UINTAH COUNTY

**Rabbit Mountain Road**  
Road # 4295  
RD242403

Entry 2008005831  
Book 1095 Page 575



## Legend

- Rabbit 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: Rabbit Mountain Road**

**County: Uintah**

**County Road Number: 4295**

**State Geographic Information Database (SGID) Road Identification Number: RD242403.**

**Total Road Length: 3.91 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 51 minutes 032.1 seconds North Latitude and -109 degrees 06 minutes 53.98 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,309,833.0 feet and Y = 7,126,260.3 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 51 minutes 49.05 seconds North Latitude and -109 degrees 03 minutes 01.76 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,327,887.0 feet and Y = 7,128,463.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 11 South Range 25 East, Section(s) 11,13,14,15,16, Salt Lake Base & Meridian