

AFFIDAVIT OF WAYNE H. ROBINSON
BALD KNOLL aka COAL ROAD
KANE COUNTY, UTAH
COUNTY ROAD NUMBER K3935

State of Utah)
 : ss
County of Kane)

Wayne H. Robinson, being first duly sworn, deposes and states as follows:

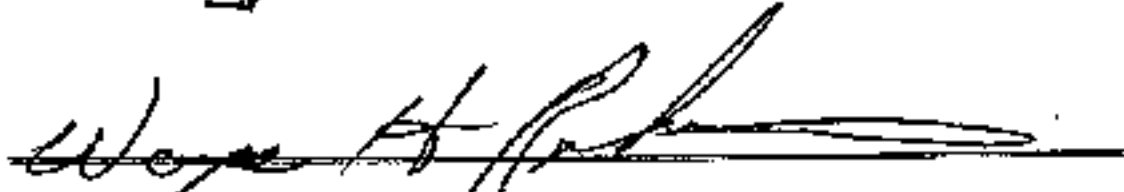
1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Kanab, Kane County, Utah. I have lived in Kane County almost all of my life.
2. The road descriptions herein pertain to the above-named road as shown on the accompanying map reflecting the GPS location of the road.
3. I am familiar with the indicated road because I have traveled it myself. I first traveled the road personally in the early 1960's. It is the reputation in the community that this road was used since at least as early as the early 1960's and has been continuously used until the present time.
4. 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 early 1960's and continuing through 1976 to the present.
5. At various times throughout the period indicated in the Paragraph 4, the road has been used for: accessing private property, hunting, coal exploration, tourism, recreation, farming, livestock operations, mining, wood gathering, post cutting, and traveling in and out through the area. I personally have observed vehicles using the road for all the above named uses since the 1960's until the present, and I have used the road myself for livestock operations, wood gathering, recreation, such as camping, picnicking, hiking, and/or sightseeing, hunting, accessing private property, and traveling in and through the area during the same period of time. The other indicated uses mentioned above are understood by reputation in the community to have occurred at various times during the indicated period.

6. By my observation, travelers on the road from the early 1960's and continuing thereafter included those who went by means of horses, automobiles, pickup trucks, and pickup trucks pulling horse trailers. The road was used daily for more than ten years prior to 1976, and is presently used daily.

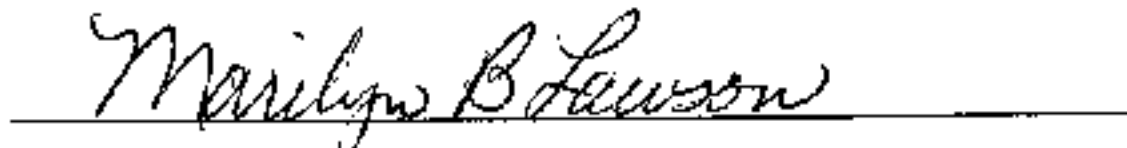
7. The road was constructed by Utah International Inc. Road graders and bulldozers were used to construct and maintain the road. I have personally seen Utah International Inc. use bulldozers and road graders during the construction and subsequent maintenance of this road.

8. When I first used and observed the road, it followed the same route as in April 2006, when I last observed it.

Dated this 3rd day of Aug, 2006.


Signature of Wayne H. Robinson

SUBSCRIBED AND SWORN TO before me this 3rd day of August 2006.


Notary Public
Residing at Kenab, Kane, Utah

