

December 18, 2007

Exhibit A



JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Wildlife Resources

JAMES F. KARPOWITZ
Division Director

April 10, 2007



Springville, UT 84663

Dear [REDACTED]:

I am informed that you are in the process of constructing a residential housing development in Mapleton, Utah on property adjoining the Mapleton Bench Wildlife Management Area. The property comprising the wildlife management area is located in Section 23, Township 8 South, Range 3 East, SLB&M and is owned by the Utah Division of Wildlife Resources. The land was purchased with state and federal funds to protect it as wildlife habitat and open space.

I am disturbed to learn that you have cleared several acres of the wildlife management area to facilitate your housing development project -- all without Division approval. This is a very serious encroachment that will require extensive restoration to return the land to its former state. The remedy ultimately required will be jointly determined by the Division and the United States Fish and Wildlife Service, which retains an interest in the property through the federal funds used to acquire it.

Until this matter is resolved, all construction activities on Division property shall cease and desist. This includes motor vehicle travel, surface disturbing activities, earth movement, vegetation treatments, construction of facilities or structures, etc. No further damage or activity is to occur on the property.

Sincerely,

A handwritten signature in blue ink that reads "James Karpowitz".

ACTING DIRECTOR

James Karpowitz
Director, Utah Division of Wildlife Resources

JK/jp

Cc: John Fairchild, Regional Supervisor
Martin Bushman, Utah Attorney General's Office



Exhibit B

Photo B1. Aerial image taken before the damage was incurred on the DWR property proposed for sale, roughly outlined by the points described in the inset text. The pink line delineates DWR ownership, with north being at the top of the displayed image.



Photo B2. DWR snapshot taken before the damage occurred. Observation looking toward the mouth of Hobble Creek, northeastward across the proposed sale tract which is roughly bounded by the black lines. Image demonstrates the type of residential estates which are being constructed in the general area of Mapleton Bench, and northward into Springville, Utah. More equally luxurious homes now exist where oakbrush stood during the time of this photograph (the year of the photograph actually is 2006, not 2005, as is printed on the image).



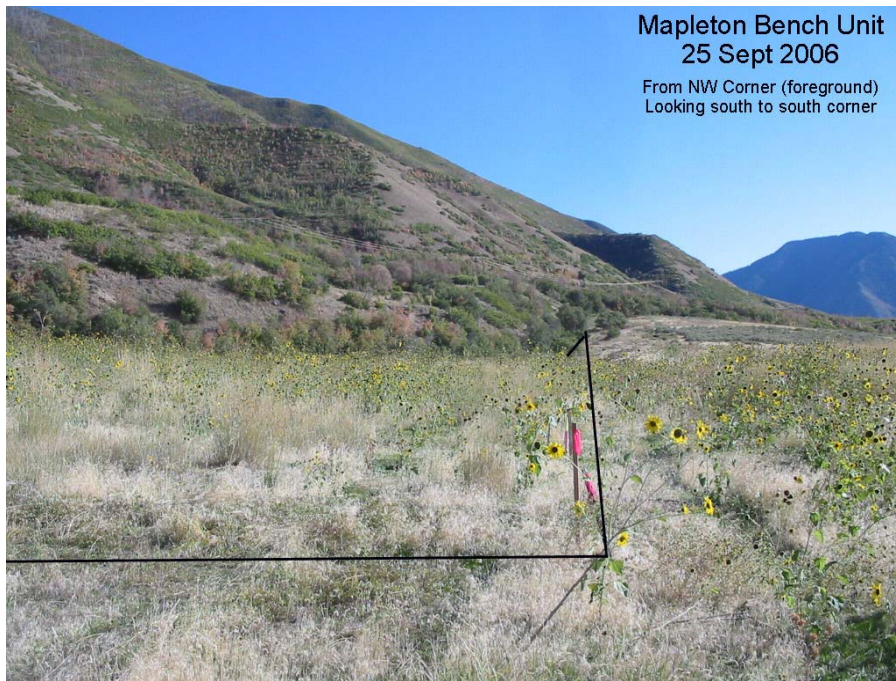


Photo B3. DWR snapshot taken before the damage occurred. Observation looking south from the NW corner of DWR property. The flat area covered with cheatgrass and sunflowers (within the black lines) is the land proposed for disposal. The oakbrush, maple, sagebrush and grass on the hills rising immediately behind the flat portion are DWR-owned lands located above Mapleton City's CE-1 zoning line, and are not proposed for disposal at present. Maple Mountain rises to the immediate left, and in the distance are mountains on the other side of Spanish Fork River and U.S. HWY 6. In the intermediate distance, off of DWR land, visible to the right, is a patch of sagebrush below the wooded hillside. No more sagebrush of this quality occurs on the DWR tract proposed for sale.



Photo B4. Observation after the damage occurred, from a similar location and orientation as Photo B3 (note the hill profiles in common between the two images). DWR land below the steep hillside is scarified or buried, with no vegetation remaining.

Photo B5. DWR snapshot taken before the damage occurred. Observation looking southeastward over the northwestern corner of the DWR property. The flat area in the foreground, covered with cheatgrass and sunflowers (within the black lines), is essentially the land proposed for disposal. The Gambel oak, bigtooth maple, sagebrush, and grasses on the mountainslope rising immediately behind the flat land are located above Mapleton City's CE-1 zoning line. That steeper portion of DWR land is not proposed for sale at the present time. Maple Mountain above DWR ownership is managed by the U.S. Forest Service.

Photo B6. Observation after the damage occurred, from a similar location and orientation as Photo B5 (note the hill profiles in common, on the lower face of Maple Mountain). Heavy earthwork removed essentially all wildlife habitat below the steeper hillside.

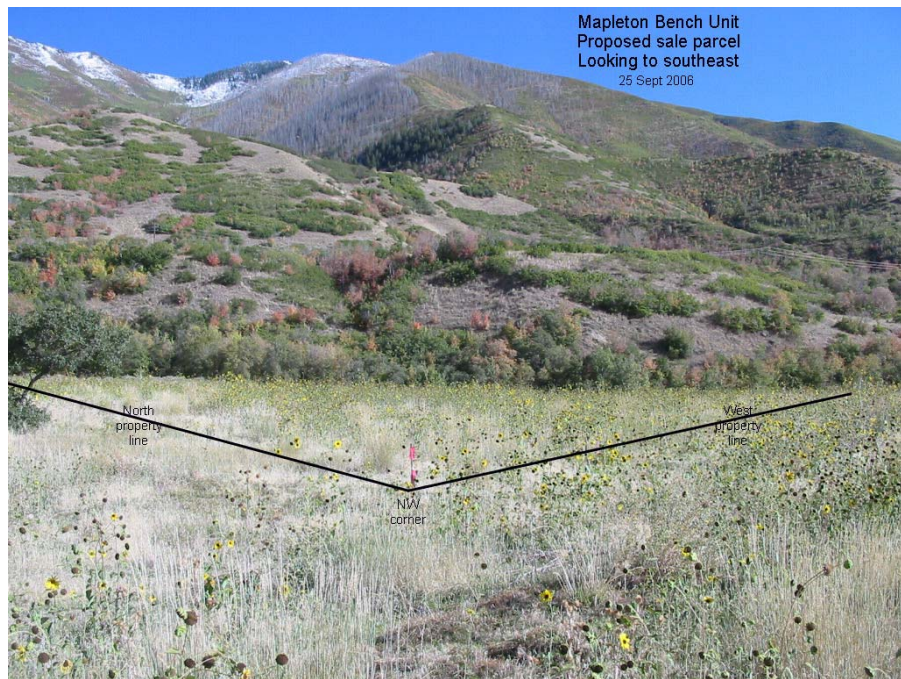


Photo B7. Observation after the damage took place, from a point situated along the northern boundary of the impacted DWR tract, looking west-southwest across the newly constructed detention basin which roughly correlates with the northwestern corner of the DWR property. This photograph characterizes a major portion of the 3.831 acres which DWR proposes to sell in order to recover the financial interests impacted on lands protected under a standing cooperative agreement with the U.S. Fish & Wildlife Service.

