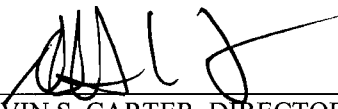


JUNE 8, 2009

THE DIRECTOR OF THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION TOOK FORMAL ACTION ON JUNE 8, 2009, IN THE TRUST LANDS ADMINISTRATION OFFICE, 675 EAST 500 SOUTH, SUITE 500, SALT LAKE CITY, UTAH 84102-2818, ON THE MINERAL, SURFACE, DEVELOPMENT, AND FEE WAIVER BUSINESS MATTERS AS INDICATED AND WHICH BECOME EFFECTIVE AT 6:00 P.M. ON JUNE 8, 2009.

THESE MINUTES INCLUDE MINERAL ACTIONS AS LISTED ON PAGES 1 TO 8; SURFACE ACTIONS AS LISTED ON PAGES 8 TO 27; DEVELOPMENT ACTIONS AS LISTED ON PAGES 28 TO 30; AND ACTIONS CONTAINING FEE WAIVERS AS LISTED ON PAGE 30.

THESE MINUTES ARE DEEMED THE FINAL AGENCY ACTION CONCERNING THESE MATTERS AND ARE SUBJECT TO REVIEW AND/OR ADJUDICATION PURSUANT TO R850-8 OF THE AGENCY'S RULES. ANY APPEAL OF MATTERS CONTAINED WITHIN THESE MINUTES MUST BE IN WRITING, PURSUANT TO R850-8-1000, AND MUST BE RECEIVED BY THE OFFICE OF THE DIRECTOR BY 6:00 P.M. ON MONDAY, JUNE 22, 2009. APPEALS NOT FILED BY THAT TIME WILL BE CONSIDERED UNACCEPTABLE AND THE MATTERS WILL BE UNAPPEALABLE.



KEVIN S. CARTER, DIRECTOR
SCHOOL AND INSTITUTIONAL
TRUST LANDS ADMINISTRATION



LESLIE M. WARNER, RECORDS OFFICER

ARCHIVES APPROVAL NO. 7990209

MINERAL ACTIONS

RECOMMENDATION FOR REMEDY OF RECLAMATION VIOLATION – ML 51303-MP (SCH)

On May 4, 2009, the Director approved a period of thirty (30) days beyond the April 30, 2009, expiration date of Mineral Materials Permit ML 51303-MP for the permittee to enter upon the following-described trust lands to complete reclamation of the “Fayette” Limestone Quarry. During said period, the permittee encountered some major maintenance problems with the equipment needed to perform the reclamation work and the job is not yet completed. The permittee is requesting a forty-five (45) day extension in which to complete the required reclamation. The Division of Oil, Gas & Mining, which administers mined land reclamation laws within Utah and holds a reclamation bond on the property, concurs in the granting of a forty-five (45) day extension. It is understood that if granted entry to the lands, the permittee assumes full liability for personal injury and personal property damages in performing the reclamation work.

<u>ML 51303-MP</u>	<u>T18S, R1E, SLB&M.</u>	Sanpete
Bryce Haas	Section 32: S½SW¼	80.00 acres
P.O. Box 289		
Gunnison, UT 84634		

Upon recommendation of Mr. Blake, the Director approved the forty-five (45) day extension until July 15, 2009.

CORRECTION OF DIRECTOR’S MINUTES OF MAY 26, 2009 – ML 51618 – METALLIFEROUS MINERALS LEASE

The Director, on May 26, 2009, approved the above-numbered lease for Metalliferous Minerals to Dewayne Smith. The legal description covers several sections in T6S, R21E, SLB&M. The lands in Sec. 36 were listed incorrectly. They were approved as follows: Lots 1(31.70), 2(16.62), 3(39.88), 4(31.50), 7(49.00), 8(26.00), NW¼SW¼. The description in Sec. 36 should have been approved as: Lots 1(31.70), 2(16.62), 3(39.88), 4(31.50), 7(49.00), 8(26.00), SW¼NW¼.

Upon recommendation of Mr. Stokes, the Director approved the above-listed correction.

TOTAL ASSIGNMENTS – GEOTHERMAL LEASES

Upon recommendation of Mr. Stokes, the Director approved the assignment of the leases listed below to Standard Steam Trust LLC, 730 17th Street, Suite 820, Denver, CO 80202, by Washoe Energy LLC. No override.

OWNERSHIP BEFORE ASSIGNMENT:	OWNERSHIP AFTER ASSIGNMENT:
RECORD TITLE:	RECORD TITLE:
WASHOE ENERGY LLC – 100%	STANDARD STEAM TRUST LLC – 100%

...ML 51284 (SCH)...ML 51285 (SCH)...ML 51286 (SCH)...ML 51287 (SCH)...ML 51288 (SCH)...
...ML 51289 (SCH)...ML 51290 (SCH)...ML 51291 (SCH)...ML 51292 (SCH)...ML 51293 (SCH)...
...ML 51294 (SCH)...ML 51295 (SCH)...ML 51296 (SCH)...ML 51297 (SCH)....

TOTAL ASSIGNMENT – METALLIFEROUS LEASE

Upon recommendation of Mr. Stokes, the Director approved the assignment of the lease listed below to Magnum Minerals USA Corp., 111 North Vista Road, Suite 4CC, Spokane, WA 91212, by EMC Utah Inc., who reserves 2% overriding royalty. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

EMC UTAH INC. – 100%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

MAGNUM MINERALS USA CORP. – 100%

...ML 49311 (SCH)....

INTEREST ASSIGNMENT – OIL, GAS, AND HYDROCARBON LEASE

Upon recommendation of Ms. Garrison, the Director approved the assignment of .54% interest in part of lands: Lots 3, 4, W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 16, T16S, R26E, SLB&M., 149.18 acres, in and to the lease listed below to Douglas and JoAnn Dahlberg Living Trust, 1802 Poly Drive, Billings, MT 59102, by Douglas C. Dahlberg. No override, but subject to 5% overriding royalty previously reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

T16S, R26E, SLB&M. 149.18 ACRES

SEC. 16: LOTS 3, 4, W $\frac{1}{2}$ SW $\frac{1}{4}$

JR OIL COMPANY-20.45%,
T-K PRODUCTION CO.-20%,
T.H. MCELVAIN JR.-17.4%,
FEDCO MANAGEMENT CO. INC.-7.5%,
MONTANA & WYOMING OIL CO.-7.5%,
CAR-KEL OIL PARTNERSHIP-3.645%,
CASSIDY PRODUCTION LLC-3.0375%,
THORP OIL AND GAS LLC-3.0375%,
BRYSON CANYON PARTNERSHIP '87-4 - 2.1%,
BALSAM PRODUCING PROPERTIES LLC-1.5%,
WILLIAM H. BUNIGER III-1.5%,
DAVID K. TERRELL-1.5%,
J&L OIL AND GAS INC.-1.5%,
JOHN S. BAROVICH-.9%,
NEIL E. AND TERESE FEHRINGER-.9%,
J&B PARTNERSHIP-.75%,
JACK C. AND EILEEN F. ROUTSON, TRUSTEES
OF JACK C. ROUTSON LIVING TRUST-.75%,
KEVIN D. LINDSAY-.6%,
HAROLD B. & EVA L. HOLDEN TRUSTEES OF
HAROLD B. & EVA L. HOLDEN 1995 LIVING
TRUST-.6%,
LONE MOUNTAIN PRODUCTION COMPANY-.6%,
L&J GAS PARTNERS INC.-.54%,

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

T16S, R26E, SLB&M. 149.18 ACRES

SEC. 16: LOTS 3, 4, W $\frac{1}{2}$ SW $\frac{1}{4}$

JR OIL COMPANY-20.45%,
T-K PRODUCTION CO.-20%,
T.H. MCELVAIN JR.-17.4%,
FEDCO MANAGEMENT CO. INC.-7.5%,
MONTANA & WYOMING OIL CO.-7.5%,
CAR-KEL OIL PARTNERSHIP-3.645%,
CASSIDY PRODUCTION LLC-3.0375%,
THORP OIL AND GAS LLC-3.0375%,
BRYSON CANYON PARTNERSHIP '87-4 - 2.1%,
BALSAM PRODUCING PROPERTIES LLC-1.5%,
WILLIAM H. BUNIGER III-1.5%,
DAVID K. TERRELL-1.5%,
J&L OIL AND GAS INC.-1.5%,
JOHN S. BAROVICH-.9%,
NEIL E. AND TERESE FEHRINGER-.9%,
J&B PARTNERSHIP-.75%,
JACK C. AND EILEEN F. ROUTSON, TRUSTEES
OF JACK C. ROUTSON LIVING TRUST-.75%,
KEVIN D. LINDSAY-.6%,
HAROLD B. & EVA L. HOLDEN TRUSTES OF
HAROLD B. & EVA L. HOLDEN 1995 LIVING
TRUST-.6%,
LONE MOUNTAIN PRODUCTION COMPANY-.6%,
L&J GAS PARTNERS INC.-.54%,

INTEREST ASSIGNMENT – OIL, GAS, AND HYDROCARBON LEASE (CONTINUED)

DOUGLAS C. DAHLBERG-.54%,
THOMAS E. EBZERY-.54%,
ROLAND GRUNDSTEAD-.54%,
GENE R. JARUSSI-.54%,
DENNIS J. RUE, INC.-.54%,
CALVIN J. STACEY-.54%,
THOMAS M. AND KIM HAUPTMAN-.45%

***DOUGLAS C. AND JOANN DAHLBERG LIVING
TRUST-.54%,***
THOMAS E. EBZERY-.54%,
ROLAND GRUNDSTEAD-.54%,
GENE R. JARUSSI-.54%,
DENNIS J. RUE, INC.-.54%,
CALVIN J. STACEY-.54%,
THOMAS M. AND KIM HAUPTMAN-45%

...ML 29608 (SCH)....

OPERATING RIGHTS ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES

Upon recommendation of Ms. Garrison, the Director approved the assignment of 18.281250% interest in operating rights limited in depth from the stratigraphic equivalent of 9600 feet as found in the Kings Canyon 10-36D Well in NW¼SE¼ Sec. 36, T10S, R18E, SLB&M., down to the stratigraphic equivalent of 9666 feet as found in the Kings Canyon 10-36D Well located in Lot 4 of Sec. 36, T10S, R18E, SLB&M., in and to the lease listed below to XTO Energy, Inc. 810 Houston Street, Fort Worth, TX 76102-6298, by III Exploration Company. No override, but subject to previous overrides as reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

III EXPLORATION COMPANY-28.125%,
XTO ENERGY INC. – 25%,
QUESTAR EXPLORATION AND PRODUCTION
COMPANY – 21.875%,
ALAN B. NICOL – 12.5%,
JAMES P. ROONEY – 12.5%

OPERATING RIGHTS: 9600 FEET TO 9666 FEET

XTO ENERGY INC. – 39.21875%,
III EXPLORATION COMPANY – 28.125%,
JAMES P. ROONEY – 12.5%,
ALAN B. NICOL – 12.5%,
QUESTAR EXPLORATION AND PRODUCTION
COMPANY – 7.65625%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

III EXPLORATION COMPANY-28.125%,
XTO ENERGY INC. – 25%,
QUESTAR EXPLORATION AND PRODUCTION
COMPANY – 21.875%,
ALAN B. NICOL – 12.5%,
JAMES P. ROONEY – 12.5%

OPERATING RIGHTS: 9600 FEET TO 9666 FEET

XTO ENERGY INC. – 57.50%,
III EXPLORATION COMPANY – 9.84375%,
JAMES P. ROONEY – 12.5%,
ALAN B. NICOL – 12.5%,
QUESTAR EXPLORATION AND PRODUCTION
COMPANY - 7.65625%

...ML 47058 (SCH)....

OPERATING RIGHTS ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES (CONTINUED)

Upon recommendation of Ms. Garrison, the Director approved the assignment of 36.5625% interest in operating rights limited in depth from the stratigraphic equivalent of 9568 feet as found in the Kings Canyon 1-32E Well in NE¼NE¼ Sec. 32, T10S, R19E, SLB&M., down to the stratigraphic equivalent of 9668 feet as found in the Kings Canyon 1-32E Well located in NE¼NE¼ of Sec. 32, T10S, R19E, SLB&M., in and to the lease listed below to XTO Energy, Inc. 810 Houston Street, Fort Worth, TX 76102-6298, by III Exploration Company. No override, but subject to previous overrides as reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

III EXPLORATION COMPANY-56.25%,
QUESTAR EXPLORATION AND PRODUCTION
COMPANY – 43.75%

OPERATING RIGHTS: 9568 FEET TO 9668 FEET
III EXPLORATION COMPANY – 56.25%,
XTO ENERGY INC. – 28.4375%,
QUESTAR EXPLORATION AND PRODUCTION
COMPANY – 15.3125%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

III EXPLORATION COMPANY-56.25%,
QUESTAR EXPLORATION AND PRODUCTION
COMPANY – 43.75%

OPERATING RIGHTS: 9568 FEET TO 9668 FEET
XTO ENERGY INC. –65%,
III EXPLORATION COMPANY –19.6875%,
QUESTAR EXPLORATION AND PRODUCTION
COMPANY – 15.3125%

...ML 47059 (SCH)....

Upon recommendation of Ms. Garrison, the Director approved the assignment of .539996% interest in operating rights limited to those horizons between the surface and a depth of 4150 feet as encountered in the Quinoco State #32-3 Well in NE¼NW¼ Sec. 32, T16S, R26E, SLB&M., in part of lands: N½NW¼, SE¼NW¼, NE¼ (aka NE¼, E½NW¼, NW¼NW¼) Sec. 32, T16S, R26E, SLB&M., 280.00 acres, in and to the lease listed below to Douglas and JoAnn Dahlberg Living Trust, 1802 Poly Drive, Billings, MT 59102, by Douglas C. Dahlberg. No override, but subject to 5% overriding royalty previously reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

T-K PRODUCTION CO. – 37.50%,
LONE MOUNTAIN PRODUCTION CO.-25%,
J&K PROPERTIES INC-12.5%,
ROBERT J. RICE-12.5%,
AME PRODUCTION CO.-5%,
DYK ENTERPRISES-.3.75%,
GWEN M. DYK-3.75%

OPERATING RIGHTS: SURFACE TO 4150 FEET
J&K PROPERTIES INC.-19.9375%,
T-K PRODUCTION COMPANY-19.3375%,
MONTANA & WYOMING OIL CO.-7.5%,
FEDCO MANAGEMENT CO. INC-7.5%,
THOMAS E. HICKEY-6.3%,
RICHARD L. THORP-5.805009%,
MCELVAIN OIL CO.-3.6%,
SBP LIMITED-3%,
R. DEAN WRIGHT GAS PARTNERSHIP-3%,
ROBERT J. RICE-1.5625%,

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

T-K PRODUCTION CO.-37.50%,
LONE MOUNTAIN PRODUCTION CO.-25%,
J&K PROPERTIES INC.-12.5%,
ROBERT J. RICE-12.5%,
AME PRODUCTION CO.-5%,
DYK ENTERPRISES-.3.75%,
GWEM M. DYK-3.75%

OPERATING RIGHTS: SURFACE TO 4150 FEET
J&K PROPERTIES INC.-19.9375%,
T-K PRODUCTION COMPANY-19.3375%,
MONTANA & WYOMING OIL CO.-7.5%,
FEDCO MANAGEMENT CO.-INC.-7.5%,
THOMAS E. HICKEY-6.3%,
RICHARD L. THORP-5.805009%,
MCELVAIN OIL CO.-3.6%,
SBP LIMITED-3%,
R. DEAN WRIGHT GAS PARTNERSHIP-3%,
ROBERT J. RICE-1.5625%,

OPERATING RIGHTS ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES (CONTINUED)

BALSAM PRODUCING PROPERTIES LLC-1.5%,
 TIM D. BECKER-1.5%,
 WILLIAM H. BUNIGER III-1.5%,
 J&L OIL AND GAS INC.-1.005%,
 DYK ENGINEERING-.9375%,
 JOHN S. BAROVICH-.9%,
 K. GEORGE B. BROOME-.9%,
 PAUL L. COX-.9%,
 BARBARA A. SWEENEY-.9%,
 JACK C. ROUTSON & EILEEN F. ROUTSON,
 TRUSTEES OF JACK C. ROUTSON
 LIVING TRUST-.75%,
 THOMAS M. AND KIM K. HAUPTMAN-.75%,
 J&B PARTNERSHIP-.75%,
 AME PRODUCTION CO.-.625%,
 AMANDA MOSLEY FRIEDMAN-.6%,
 J. ROGER FRIEDMAN-.6%,
 PATRICIA M. FRIEDMAN-.6%,
 RANDALL FRIEDMAN-.6%,
 CATHERINE B. HARVEY-.6%,
 F. HENRY HARVEY-.6%,
 LAURA NOEL HARVEY-.6%,
 THERESA H. HICKEY-.6%,
 GUY WILLIAM MCELVAIN-.6%,
 KEVIN D. LINDSAY-.6%,
DOUGLAS C. DAHLBERG-.539996%,
 DENNIS J. RUE INC.-.539996%,
 ROLAND GRUNSTEAD-.539995%,
 L&J GAS PARTNERS INC.-.539995%,
 CALVIN J. STACEY-.405008%,
 GENE JARUSSI-.405008%,
 ERIC A. MADTSON-.3%,
 THOMAS E. EBZERY-.269993%

BALSAM PRODUCING PROPERTIES LLC-1.5%,
 TIM D. BECKER-1.5%,
 WILLIAM H. BUNIGER III-1.5%,
 J&L OIL AND GAS INC.-1.005%,
 DYK ENGINEERING-.9375%,
 JOHN S. BAROVICH-.9%,
 K. GEORGE B. BROOME-.9%,
 PAUL L. COX-.9%,
 BARBARA A. SWEENEY-.9%,
 JACK C. ROUTSON & EILEEN F. ROUTSON,
 TRUSTEES OF JACK C. ROUTSON
 LIVING TRUST-.75%,
 THOMAS M. AND KIM HAUPTMAN-.75%,
 J&B PARTNERSHIP-.75%,
 AME PRODUCTION CO.-.625%,
 AMANDA MOSLEY FRIEDMAN-.6%,
 J. ROGER FRIEDMAN-.6%,
 PATRICIA M. FRIEDMAN-.6%,
 RANDALL FRIEDMAN-.6%,
 CATHERINE B. HARVEY-.6%,
 F. HENRY HARVEY-.6%,
 LAURA NOEL HARVEY-.6%,
 THERESA H. HICKEY-.6%,
 GUY WILLIAM MCELVAIN-.6%,
 KEVIN D. LINDSAY-.6%,
**DOUGLAS AND JOANN DAHLBERG LIVING
 TRUST-.539996%**,
 DENNIS J. RUE INC.-.539996%,
 ROLAND GRUNDSTEAD-.539995%,
 L&J GAS PARTNERS INC.-.539995%,
 CALVIN J. STACEY-.405008%,
 GENE JARUSSI-.405008%,
 ERIC A. MADTSON-.3%,
 THOMAS E. EBZERY-.269993%

....ML 27564 (SCH)....

OPERATING RIGHTS ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES (CONTINUED)

Upon recommendation of Ms. Garrison, the Director approved the assignment of .735073% interest in operating rights from surface of earth down to 3690 feet, being the stratigraphic equivalent as encountered in the Hancock State #16-3 Well in NE¼NW¼ Sec. 16, T17S, R25E, SLB&M., in part of lands: NW¼ Sec. 16, T17S, R25E, SLB&M., 160.00 acres, in and to the lease listed below to Douglas and JoAnn Dahlberg Living Trust, 1802 Poly Drive, Billings, MT 59102, by Douglas C. Dahlberg. No override, but subject to 5% overriding royalty previously reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:**RECORD TITLE:**

BURTON W. HANCOCK-95%,
 JAMES E. AND LORRAINE G. WADE-1.5%,
 CAROL E. HANCOCK, TRUSTEE-1.25%,
 CAROL E. HANCOCK-1.25%,
 DON F. BRADSHAW, TRUSTEE OF THE DON F.
 BRADSHAW FAMILY TRUST-1%

***OPERATING RIGHTS: SURFACE TO 3960 FEET
 T17S, R25E, SLB&M.******SEC. 16: NW¼***

BURTON W. HANCOCK-26.25%,
 MONTANA & WYOMING OIL CO.-6.8063%,
 JR OIL CO.-6.64175%,
 T-K PRODUCTION COMPANY-6.64175%,
 THOMAS E. HICKEY-6.534%,
 HAROLD & EVA HOLDEN, 1995 LIVING TRUST
 HAROLD & EVA HOLDEN, TRUSTEES-5.4449%,
 HARRINGTON & BIBLER INC.-4.900483%,
 SUSAN HILLSTROM MASI-3.5%,
 MCELVAIN OIL CO.-2.7225%,
 RICHARD L. THORP – 2.695266%,
 LONE MOUNTAIN PRODUCTION CO.-2.2945%,
 JAMES M. RAYMOND-1.6335%,
 J&L OIL AND GAS INC.-1.49737%,
 BEARTOOTH OIL & GAS CO.-1.3653%,
 ROBERT C. BALSAM TRUST-1.3613%,
 WILLIAM H. BUNIGER III-1.3613%,
 KELLY S. HARRINGTON-1.22512%,
 J. ROGER FIREDMAN-1.089%,
 PATRICIA M. FRIEDMAN-1.089%,
 JAMES E. MCELVAIN COMPANY-1.089%,
 R. DEAN WRIGHT GAS PARTNERSHIP-1.089%,
 DON F. BRADSHAW, TRUSTEE OF DON F.
 BRADSHAW FAMILY TRUST-1%,
 L&J GAS PARTNERS INC.-.857584%,
 THECLA J. DODGE-.81675%,
 TIMOTHY D. HICKEY-.81675%,
 DEAN A. BRUSCHWEIN-.735073%,
DOUGLAS G. DAHLBERG-.735073%,
 MURRAY F. EHLERS-.735073%,

OWNERSHIP AFTER ASSIGNMENT:**RECORD TITLE:**

BURTON W. HANCOCK-95%,
 JAMES E. AND LORRAINE G. WADE-1.5%,
 CAROL E. HANCOCK, TRUSTEE-1.25%,
 CAROL E. HANCOCK-1.25%,
 DON F. BRADSHAW, TRUSTEE OF THE DON F.
 BRADSHAW FAMILY TRUST-1%

***OPERATING RIGHTS: SURFACE TO 3960 FEET
 T17S, R25E, SLB&M.******SEC. 16: NW¼***

BURTON W. HANCOCK-26.25%,
 MONTANA & WYOMING OIL CO.-6.8063%,
 JR OIL CO.-6.64175%,
 T-K PRODUCTION COMPANY-6.64175%,
 THOMAS E. HICKEY-6.534%,
 HAROLD & EVA HOLDEN, 1995 LIVING TRUST
 HAROLD & EVA HOLDEN, TRUSTEES-5.4449%,
 HARRINGTON & BIBLER INC.-4.900483%,
 SUSAN HILLSTROM MASI-3.5%,
 MCELVAIN OIL CO.-2.7225%,
 RICHARD L. THORP-2.695266%,
 LONE MOUNTAIN PRODUCTION CO.-2.2945%,
 JAMES M. RAYMOND-1.6335%,
 J&L OIL AND GAS INC.-1.49737%,
 BEARTOOTH OIL & GAS CO.-1.3653%,
 ROBERT C. BALSAM TRUST-1.3613%,
 WILLIAM H. BUNIGER III-1.3613%,
 KELLY S. HARRINGTON-1.22512%,
 J. ROGER FRIEDMAN-1.089%,
 PATRICIA M. FRIEDMAN-1.089%,
 JAMES E. MCELVAIN COMPANY-1.089%,
 R. DEAN WRIGHT GAS PARTNERSHIP-1.089%,
 DON F. BRADSHAW, TRUSTEE OF DON F.
 BRADSHAW FAMIY TRUST-1%,
 L&J GAS PARTNERS INC.-.857584%,
 THECLA J. DODGE-.81675%,
 TIMOTHY D. HICKEY-.81675%,
 DEAN A. BRUSCHWEIN-.735073%,
***DOUGLAS AND JOANN DAHLBERG LIVING
 TRUST-.735073%***,

OPERATING RIGHTS ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES (CONTINUED)

DENNIS J. RUE INC.-.735073%,
 RONALD GRUNSTEAD-.61256%,
 W. MARCUS/EVA F. ABERNETHY-.5445%,
 GEORGE B. BROOME-.5445%,
 VICTOR L. DAMON-.5445%,
 JAMES H. ERFURDT-.5445%,
 THERESA H. HICKEY-.5445%,
 WALDO L. MCINTOSH-.5445%,
 BARBARA B. SWEENEY-.5445%,
 JAMES E./LORRAINE G. WADE-.525%,
 WILLIAM W. HANCOCK, TRUSTEE, TRUST “B”
 OF MERIT N. & CAROL E. HANCOCK TRUST
 AGREEMENT-.4375%,
 WILLIAM W. HANCOCK, TRUSTEE TRUST “A”
 OF MERIT N. & CAROL E. HANCOCK TRUST
 AGREEMENT-.4375%,
 RB OIL COMPANY-.2682%,
 THOMAS E. EBZERY-.245025%

MURRAY F. EHLERS-.735073%,
 DENNIS J. RUE INC.-.735073%,
 ROLAND GRUNSTEAD-.61256%,
 W. MARCUS/EVA F. ABERNETHY-.5445%,
 GEORGE B. BROOME-.5445%,
 VICTOR L. DAMON-.5445%,
 JAMES H. ERFURDT-.5445%,
 THERESA H. HICKEY-.5445%,
 WALDO L. MCINTOSH-.5445%,
 BARBARA B. SWEENEY-.5445%,
 JAMES E./LORRAINE G. WADE-.525%,
 WILLIAM W. HANCOCK, TRUSTEE, TRUST “B”
 OF MERIT N. & CAROL E. HANCOCK TRUST
 AGREEMENT-.4375%,
 WILLIAM W. HANCOCK, TRUSTEE, TRUST “A”
 OF MERIT N. & CAROL E. HANCOCK TRUST
 AGREEMENT-.4375%,
 RB OIL COMPANY-.2682%,
 THOMAS E. EBZERY-.245025%

....ML 29282 (SCH)....

Upon recommendation of Ms. Garrison, the Director approved the assignment of .539996% interest in operating rights in and to the lease listed below to Douglas and JoAnn Dahlberg Living Trust, 1802 Poly Drive, Billings, MT 59102, by Douglas C. Dahlberg. No override, but subject to 5% overriding royalty previously reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:**RECORD TITLE:**

J&K PROPERTIES INC.-50%, AND
 T-K PRODUCTION COMPANY-50%

OPERATING RIGHTS:

J&K PROPERTIES INC.-21.5%,
 T-K PRODUCTION COMPANY-20.9%,
 MONTANA & WYOMING OIL CO.-7.5%,
 FEDCO MANAGEMENT CO. INC.-7.5%,
 THOMAS E. HICKEY-6.3%,
 RICHARD L. THORP-5.805009%,
 MCELVAIN OIL CO.-3.6%,
 SBP LIMITED-3%,
 R. DEAN WRIGHT GAS PARTNERSHIP-3%,
 ROBERT C. BALSAM TRUST-1.5%,
 TIM D. BECKER-1.5%,
 WILLIAM H. BUNIGER III-1.5%,
 J&L OIL AND GAS INC.-1.005%,
 JOHN S. BAROVICH-.9%,
 GEORGE B. BROOME-.9%,
 PAUL L. COX-.9%,

OWNERSHIP AFTER ASSIGNMENT:**RECORD TITLE:**

J&K PROPERTIES INC.-50%, AND
 T-K PRODUCTION COMPANY-50%

OPERATING RIGHTS:

J&K PROPERTIES INC.-21.5%,
 T-K PRODUCTION COMPANY-20.9%,
 MONTANA & WYOMING OIL CO.-7.5%,
 FEDCO MANAGEMENT CO. INC.-7.5%,
 THOMAS E. HICKEY-6.3%,
 RICHARD L. THORP-5.805009%,
 MCELVAIN OIL CO.-3.6%,
 SBP LIMITED-3%,
 R. DEAN WRIGHT GAS PARTNERSHIP-3%,
 ROBERT C. BALSAM TRUST-1.5%,
 TIM D. BECKER-1.5%,
 WILLIAM H. BUNIGER III-1.5%,
 J&L OIL AND GAS INC.-1.005%,
 JOHN S. BAROVICH-.9%,
 GEORGE B. BROOME-.9%,
 PAUL L. COX-.9%,

OPERATING RIGHTS ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES (CONTINUED)

BARBARA A. SWEENEY-.9%,
 JACK C. AND EILEEN F. ROUTSON, TRUSTEES OF
 JACK C. ROUTSON LIVING TRUST-.75%,
 THOMAS M. AND KIM K. HAUPTMAN-.75%,
 J&B PARTNERSHIP-.75%,
 CATHERINE B. HARVEY-.6%,
 AMANDA MOSLE FRIEDMAN-.6%,
 J. ROGER FRIEDMAN-.6%,
 PATRICIA M. FRIEDMAN-.6%,
 RANDALL FRIEDMAN-.6%,
 F. HENRY HARVEY-.6%,
 LAURA NOEL HARVEY-.6%,
 THERESA H. HICKEY-.6%,
 GUY WILLIAM MCELVAIN-.6%,
 KEVIN D. LINDSAY-.6%,
DOUGLAS C. DAHLBERGY-.539996%,
 DENNIS J. RUE INC.-.539996%,
 ROLAND GRUNDSTEAD-.539995%,
 L&J GAS PARTNERS, INC.-.539995%,
 CALVIN J. STACEY-.405008%,
 GENE JARUSSI-.405008%,
 ERIC A. MADTSON-.3%,
 THOMAS E. EBZERY-.269993%

BARBARA A. SWEENEY-.9%,
 JACK C. AND EILEEN F. ROUTSON, TRUSTEES OF
 JACK C. ROUTSON LIVING TRUST-.75%,
 THOMAS M. AND KIM K. HAUPTMAN-.75%,
 J&B PARTNERSHIP-.75%,
 CATHERINE B. HARVEY-.6%,
 AMANDA MOSLEY FRIEDMAN-.6%,
 J. ROGER FRIEDMAN-.6%,
 PATRICIA M. FRIEDMAN-.6%,
 RANDALL FRIEDMAN-.6%,
 F. HENRY HARVEY-.6%,
 LAURA NOEL HARVEY-.6%,
 THERESA H. HICKEY-.6%,
 GUY WILLIAM MCELVAIN-.6%,
 KEVIN D. LINDSAY-.6%,
**DOUGALS AND JOANN DAHLBERG LIVING
 TRUST-.539996%,**
 DENNIS J. RUE INC.-.539996%,
 ROLAND GRUNDSTEAD-.539995%,
 L&J GAS PARTNERS, INC.-.539995%,
 CALVIN J. STACEY-.405008%,
 GENE JARUSSI-.405008%,
 ERIC A. MADTSON-.3%,
 THOMAS E. EBZERY-.269993%

...ML 31281 (SCH)....

SURFACE ACTIONS

GRAZING PERMITS

RENEWAL OF GRAZING PERMITS

The following grazing permits have been renewed for a period of 15 years, beginning July 1, 2009, and expiring June 30, 2024.

<u>Permit #</u>	<u># Acres</u>	<u># AUMs</u>	<u>County(s)</u>	<u>Fund(s)</u>
GP 20107-09	400.00	44.00	Carbon	School
GP 20148-09	440.00	40.00	Piute	School
GP 20177-09	640.00	18.00	Kane	School
GP 20289-09	320.00	16.00	Garfield	School
GP 20293-09	960.00	35.00	Kane	School
GP 20385-09	320.00	40.00	Summit	School

RENEWAL OF GRAZING PERMITS (CONTINUED)

<u>Permit #</u>	<u># Acres</u>	<u># AUMs</u>	<u>County(s)</u>	<u>Fund(s)</u>
GP 20395-09	12,083.47	600.00	Emery, Sevier	School
GP 20418-09	1,383.54	58.00	Beaver	School
GP 22466-09	640.00	27.00	Wayne	School
GP 22498-09	882.64	40.00	Millard	School
GP 22948-09	840.00	28.00	Emery	School
GP 23302-E09	240.00	7.00	Juab	School
GP 23302-F09	240.00	3.00	Juab	School

Upon recommendation of Ms. Paula Lane, the Director approved the renewal of these permits.

GRAZING PERMIT NO. 22654 (PARTIAL NON-USE)

Missouri Flat LTD Partnership, 2511 S. West Temple, Salt Lake City, UT 84115, has requested 80% non-use, due to the Milford Flat Wildfire and subsequent re-seeding, on GP 22654. Approximately 20% of the allotment is outside of the seeded area and can be grazed in 2009/2010 grazing season. SITLA, BLM, and UDWR cost-shared to re-seed the trust land sections within the Twin Peaks BLM Allotment. The 2009/2010 grazing bill will be reduced by 80% (972.8 AUMs). The permittee has submitted a \$938.75 (243.20 AUMs) grazing fee, a \$121.60 weed fee, and a \$20.00 non-use fee. Millard County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the partial non-use for GP 22654.

GRAZING PERMIT NO. 22759 (NON-USE)

Missouri Flat LTD Partnership, 2511 S. West Temple, Salt Lake City, UT 84115, has requested 100% non-use, due to the Milford Flat Wildfire and subsequent re-seeding, on GP 22759. SITLA, BLM, and UDWR cost-shared to re-seed the trust land sections within the Hole in the Rock BLM Allotment. The 2009/2010 grazing bill will be canceled. The permittee has submitted a \$10.40 weed fee, and a \$20.00 non-use fee. Millard County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the non-use for GP 22759.

GRAZING PERMIT NO. 23231 (PARTIAL NON-USE)

Two Swipe Cattle Co., 1420 N. Blue Mountain Road, Blanding, UT 84511, has requested 37% non-use (95 AUMs), due to lack of forage, on GP 23231 during the 2008 - 2009 grazing season. This grazing permit is located on the Bluff Block with no BLM management involved. Agency staff has verified this lack of forage. The permittee would like a credit for 95 AUMs (\$579.50) on next year's bill. The \$20.00 non-use fee has been paid. San Juan County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the partial non-use for GP 23231.

GRAZING PERMIT NO. 22651 (PARTIAL NON-USE)

Two Swipe Cattle Co., 1420 N. Blue Mountain Road, Blanding, UT 84511, has requested 37% non-use (91 AUMs), due to lack of forage, on GP 22651 during the 2008 - 2009 grazing season. This grazing permit is located on the Bluff Block with no BLM management involved. Agency staff has verified this lack of forage. The permittee would like a credit for 91 AUMs (\$555.10) on next year's bill. The \$20.00 non-use fee has been paid. San Juan County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the partial non-use for GP 22651.

GRAZING PERMIT NO. 20389-09 (SUBLEASE AND RESCISSION OF MINUTE ENTRY DATED MAY 18, 2009)

The sublease of GP 20389-09 to Mark Anderson & Sons was approved on the May 18, 2009, Director's Minutes. The minute entry contained errors and should be rescinded in its entirety. The following language replaces the May 18, 2009, minute entry:

Nebeker Ranch Co. LLC, 3833 Marlene St, Idaho Falls, ID 83406, has requested permission to sublease 100% of the above referenced grazing permit for a period of five years to Mark Anderson & Sons, HCR 65 Box 760, McKinnon, WY 82938. The sublease will begin in 2010 and will be granted for five years. The sublease fee in the amount of \$332.00 has been received. Daggett County. School Fund.

Upon recommendation of Mr. Scott Chamberlain, the Director rescinded the minute entry dated May 18, 2009, and approved the sublease of GP 20389-09 as outlined above.

GRAZING PERMIT NO. 23242 (CORRECTION OF MINUTES DATED MAY 18, 2009)

The sublease of GP 23242 to Matt Mitchell was reported on the Director's Minutes of May 18, 2009. The minute entry incorrectly listed the expiration date of the sublease as June 30, **2013**. The correct expiration is June 30, **2014**. Records should be noted. Duchesne County. School Fund.

Upon recommendation of Ms. Paula Lane, the Director approved the correction to the May 18, 2009, Director's Minutes for GP 23242.

RIGHTS OF ENTRY**RIGHT OF ENTRY NO. 5339 (APPROVAL)**

On May 26, 2009, the School and Institutional Trust Lands Administration received an application from Horizon Adventures, Inc., 1370 Birch Street, Denver, CO 80220, to occupy all trust land located within the State of Utah, except for those lands subject to existing leases or permits that grant access control, and those lands that have been withdrawn or may be withdrawn by order of the Director, to conduct commercial tours for a one-year term.

The fee for this right of entry is \$200.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$300.00. Funding: School = 96.66%, USU = 0.83%, Deaf = 0.16%, Blind = 0.01%, MH = 0.18%, NS = 0.16%, PB = < 0.01%, SYDC = < 0.01%, RES = 1.26%, SM = 0.21%, UNIV = 0.51%. Beginning date: May 1, 2009. Expiration date: April 30, 2010.

Upon recommendation of Ms. Jeanine Kleinke, the Director approved Right of Entry No. 5339 for a one-year term.

RIGHT OF ENTRY NO. 5341

On May 28, 2009, Mr. Lou Brown, pursuant to R850-41-200, and in accordance with direction and delegation of authority, approved the request of Jet Films, c/o Alan Benoit, 1215 St. Mathieu St., Montreal, Quebec, Canada H3H 2P7, to occupy the following described trust land located within Kane County for commercial filming:

Township 43 South, Range 2 East
Section 16: within

The fee for this right of entry is \$300.00 plus a \$50.00 application and a \$50.00 processing fee, totaling \$400.00. School Fund. Kane County. Beginning Date: June 10, 2009. Expiration Date: June 10, 2009.

This item was submitted by Mr. Lou Brown for record-keeping purposes.

RIGHT OF ENTRY NO. 5342 (APPROVAL)

On May 28, 2009, the School and Institutional Trust Lands Administration received an application from Moab Tour Company, 545 North Main Street, Moab, UT 84532, to occupy all trust land located within the State of Utah, except for those lands subject to existing leases or permits that grant access control, and those lands that have been withdrawn or may be withdrawn by order of the Director, to conduct commercial tours for a one-year term.

The fee for this right of entry is \$200.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$300.00. Beginning date: April 1, 2009. Expiration date: March 31, 2010. Funding: School = 96.66%, USU = 0.83%, Deaf = 0.16%, Blind = 0.01%, MH = 0.18%, NS = 0.16%, PB = < 0.01%, SYDC = < 0.01%, RES = 1.26%, SM = 0.21%, UNIV = 0.51%.

Upon recommendation of Ms. Jeanine Kleinke, the Director approved Right of Entry No. 5342 for a one-year term.

EASEMENTS**EASEMENT NO. 1452 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Kane County
Kane County Courthouse
76 North Main Street
Kanab, Utah 84741

LEGAL DESCRIPTION:

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database ("SGID").

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System ("GPS") data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey ("USGS") to verify a reasonable degree of accuracy. In circumstances where

EASEMENT NO. 1452 (APPROVAL) (CONTINUED)

accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey ("USGS").

The following description closely approximates the location of the centerline of the physical monument based on mapping grade Global Positioning System ("GPS") data as defined above.

Township 43 South, Range 4 West, SLB&M

Section 32: SW¹/₄NW¹/₄ (within)

Popular Name: Shinarump Rim Road

County Road Number: K3250

State Geographic Information Database ("SGID") Road Identification Number: RD130377

A 66 foot wide easement, being 33 feet on each side of the following described centerline:

Beginning at a point on the road centerline located at 37°01'46.47" North Latitude and -112°15'48.09" West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,417,571.5 feet and Y = 9,975,551.7 feet; thence the following courses along the said road center line: N 28°59'27" W 3.3 feet; thence N 29°01'21" W 1.2 feet; thence N 16°30'04" W 12.8 feet; thence N 10°16'39" W 12.5 feet; thence N 05°29'06" W 12.3 feet; thence N 06°28'29" W 11.6 feet; thence N 11°55'02" W 11.7 feet; thence N 14°42'42" W 11.9 feet; thence N 18°37'46" W 12.1 feet; thence N 24°11'24" W 11.7 feet; thence N 20°48'46" W 12.3 feet; thence N 19°56'09" W 11.3 feet; thence N 17°08'41" W 12 feet; thence N 26°47'18" W 11.9 feet; thence N 30°13'58" W 14.2 feet; thence N 29°50'58" W 16 feet; thence N 30°45'34" W 16.2 feet; thence N 36°53'07" W 16.3 feet; thence N 21°23'59" W 17.6 feet; thence N 32°08'29" W 16.4 feet; thence N 30°30'13" W 17.1 feet; thence N 32°54'38" W 15.6 feet; thence N 30°03'08" W 16.1 feet; thence N 29°50'58" W 16 feet; thence N 31°02'41" W 15.3 feet; thence N 28°11'26" W 15.8 feet; thence N 28°49'02" W 15.9 feet; thence N 31°40'35" W 15.4 feet; thence N 29°26'21" W 16 feet; thence N 30°18'05" W 15.2 feet; thence N 29°14'03" W 15.9 feet; thence N 30°17'55" W 15.2 feet; thence N 25°49'02" W 14.5 feet; thence N 17°38'49" W 13.8 feet; thence N 09°56'25" W 13.3 feet; thence N 05°37'30" W 12.4 feet; thence N 06°23'08" E 11.6 feet; thence N 23°48'12" E 9.9 feet; thence N 13°39'31" E 16.1 feet; thence N 26°56'26" E 13.8 feet; thence N 38°21'59" E 13.7 feet; thence N 45°33'13" E 14.1 feet; thence N 52°18'18" E 13.5 feet; thence N 49°49'03" E 14.1 feet; thence N 52°08'24" E 13.5 feet; thence N 51°21'24" E 13.2 feet; thence N 48°24'13" E 13.7 feet; thence N 47°28'57" E 13.4 feet; thence N 47°45'27" E 13.5 feet; thence N 51°00'11" E 13.1 feet; thence N 50°49'20" E 13.1 feet; thence N 53°06'31" E 12.4 feet; thence N 55°45'03" E 11.8 feet; thence N 59°11'54" E 11.3 feet; thence N 55°45'03" E 11.8 feet; thence N 59°06'53" E 11.3 feet; thence N 56°39'44" E 10.5 feet; thence N 57°09'15" E 9.1 feet; thence N 56°21'56" E 7.5 feet; thence N 89°42'24" E 5.5 feet; thence N 89°42'24" E 0.7 feet; thence N 28°31'13" E 1.6 feet more or less to the ending point at 37°01'52.75" North Latitude and -112°15'48.09" West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,417,577.3 feet and Y = 9,976,187.2 feet. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Total length is 782.6 feet. Contains 1.19 acres, more or less.

COUNTY: Kane

ACRES: 1.19

FUND: School

EASEMENT NO. 1452 (APPROVAL) (CONTINUED)**PROPOSED ACTION:**

The applicant has requested a non-exclusive easement to operate, repair, and maintain an existing access road located within T43S, R4W, Section 32, in Kane County. This access road is part of Kane County's public road system and is known by the popular name of Shinarump Rim Road and County Road No. K3250. The County desires to obtain a permanent easement for the access road. The proposed easement corridor is 782.6 feet long and 66 feet wide, containing 1.19 acres. The applicant has requested a perpetual term for the easement.

RELEVANT FACTUAL BACKGROUND:

On July 18, 2008, the Agency began the process outlined in R850-40-250 to determine the existence of any permissive statutory temporary easements or rights-of-entry within Section 32, T43S, R4W, in Kane County (the "subject property"). Pursuant R850-40-250(2), notice was given to responsible authorities asserting a temporary easement or right-of-entry on the subject property. On October 15, 2008, Kane County submitted a letter to the Agency requesting the opportunity to retain a permanent easement for the Shinarump Rim Road (County Road No. K3250), which crosses the subject property. A formal easement application was received by the Agency on March 18, 2009. It was submitted for Agency review on March 18, 2009, and was accepted by the Director on April 1, 2009.

The proposed easement was exempt from review by the Resource Development Coordinating Committee ("RDCC") since it is for an existing access road and will involve no new ground disturbance outside of the existing disturbed corridor.

EVALUATION OF FACTS:

The Agency has determined that the subject access road existed on trust lands prior to January 1, 1992, and, therefore, a temporary easement has existed on the road pursuant to Utah Code 72-5-203(1). Pursuant to R850-40-250(3), the Agency has evaluated the applicant's request to convert this temporary easement to a permanent easement and has determined that granting this request is consistent with the fiduciary responsibilities of the Agency.

The Agency's archaeology staff has reviewed the proposed easement and has determined that, as long as there is no further ground disturbance outside of the existing footprint of the access road, no cultural resource survey will be required. A stipulation will be included in the easement agreement which will require the County to comply with any cultural resource survey requirements if they desire to widen the road beyond its current footprint at some point in the future.

Upon recommendation of Mr. Chris Fausett, the Director approved the applicant's request for a non-exclusive easement. The easement will be issued for a perpetual term beginning June 1, 2009. The application fee of \$750.00 and the easement rental assessment of \$474.30 have been submitted. The administrative fee required pursuant to R850-40-1800 has been paid in a one-time payment of \$1,000.00. The County has applied for funding of the application fee, administrative fee, and the easement rental assessment through the Agency's off-highway vehicle ("OHV") funding program. This easement qualifies for funding based on the acknowledgement by the County that this access road will remain open for OHV use.

EASEMENT NO. 1466 (APPROVAL)**APPLICANT'S NAME AND ADDRESS:**

US Magnesium, LLC
 238 North 2200 West
 Salt Lake City, Utah 84116

LEGAL DESCRIPTION:**Township 1 North, Range 8 West, SLB&M**

Section 30: Lot 4 (within)

Section 31: Lot 1, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ (within)**Township 1 South, Range 8 West, SLB&M**

Section 5: Lots 2, 3, 4 (within)

A 20 foot wide easement for a 10-inch diameter brine pipeline, said easement being 10 feet on either side of the following described centerline. The pipeline itself is the monument that is identified by its physical presence on the land. The following description closely approximates the centerline of the physical monument based on Global Positioning System ("GPS") data:

Beginning at a point located 291.67 feet north, more or less, along the west section line from the southwest corner of Section 30, Township 1 North, Range 8 West, SLB&M, said point being on the centerline of an existing brine pipeline; thence running along said centerline S 85°54'34" E 30.97 feet; thence S 67°47'28" E 27.90 feet; thence S 51°01'32" E 40.74 feet; thence S 41°12'15" E 58.76 feet; thence S 42°27'00" E 8,387.74 feet; thence S 46°11'18" E 69.35 feet; thence S 56°53'05" E 19.71 feet; thence N 84°52'16" E 23.17 feet; thence N 76°35'13" E 48.38 feet; thence N 75°32'01" E 2,389.17 feet more or less to a point on the north line of Section 5, Township 1 South, Range 8 West, SLB&M. Length of said centerline is 11,095.89 feet. Contains 5.06 acres, more or less.

Township 2 North, Range 8 West, SLB&MSection 34: E $\frac{1}{2}$ W $\frac{1}{2}$ (within)**Township 1 North, Range 8 West, SLB&M**Section 3: Lot 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ (within)Section 10: E $\frac{1}{2}$ W $\frac{1}{2}$ (within)Section 15: E $\frac{1}{2}$ W $\frac{1}{2}$ (within)Section 22: E $\frac{1}{2}$ W $\frac{1}{2}$ (within)Section 27: NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ (within)Section 28: E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ (within)

A 20 foot wide easement for a 10-inch diameter brine pipeline, said easement being 10 feet on either side of the following described centerline. The pipeline itself is the monument that is identified by its physical presence on the land. The following description closely approximates the centerline of the physical monument based on Global Positioning System ("GPS") data:

Beginning at a point located 2,638.3 feet west, more or less, along the north section line from the northeast corner of Section 34, Township 2 North, Range 8 West, SLB&M, said point being on the centerline of an existing brine pipeline; thence running along said centerline S 01°07'21" W 26,674.30 feet; thence S 44°21'10" W 7,319.80 feet more or less to a point on the south line of Section 28, Township 1 North, Range 8 West, SLB&M. Length of said centerline is 33,994.10 feet. Contains 15.61 acres, more or less.

COUNTY: Tooele

ACRES: 20.67

FUND: School

EASEMENT NO. 1466 (APPROVAL) (CONTINUED)**PROPOSED ACTION:**

The applicant has requested a non-exclusive easement to operate, repair, and maintain an existing 10-inch diameter buried brine pipeline located on the I-80 Block in Tooele County. The pipeline will be used to transport brine in conjunction with the applicant's magnesium processing facility. The proposed easement corridor is 45,089.99 feet long and 20 feet wide, containing 20.67 acres. The requested term of the easement is 30 years.

RELEVANT FACTUAL BACKGROUND:

The "Application to Purchase an Easement" was received on December 19, 2008. It was submitted for Agency review on January 29, 2009, and was accepted by the Director on February 17, 2009.

The proposed easement was exempt from review by the Resource Development Coordinating Committee ("RDCC") since this will be a reauthorization of a previous use and will not involve any new ground disturbance.

This easement will replace Easement No. 1288 (formerly BLM UTU-54897) which was terminated by the Agency effective April 1, 2005. The pipeline was formerly used to service the applicant's Knolls evaporation facility. The applicant now desires to re-utilize this segment of the pipeline for another use and, therefore, desires a new easement for the existing pipeline corridor.

The proposed easement traverses lands leased by Wasatch Regional Landfill, Inc. (Special Use Lease No. 1405-OBA). The lease document requires that formal consent be provided by the lessee prior to any new encumbrances being authorized by the Agency across the leased premises.

EVALUATION OF FACTS:

Wasatch Regional Landfill, Inc., the lessee of Special Use Lease No. 1405-OBA, has been contacted regarding this proposed easement. The proposed easement corridor runs along the east side of Rowley Road, which is the opposite side of the road from any current or future planned landfill activities. The proposed easement corridor is also located in close proximity to a number of other existing easement corridors including a water pipeline, a gas pipeline, and a power line. It is anticipated that the grant of this easement will have no affect on the lessee's use of the leased premises for its operations. The lessee concurs that the proposed easement will have no affect on its lease operations and has provided written consent for the grant of this easement.

The Agency's archaeology staff has reviewed this proposed easement and has stated that, since this easement is for an existing pipeline and will involve no new ground disturbance, a cultural resource survey will not be required.

Upon recommendation of Mr. Chris Fausett, the Director approved the applicant's request for a non-exclusive easement. The term of the easement will be 30 years, beginning June 1, 2009, and expiring May 31, 2039. The application fee of \$750.00 and the easement rental assessment of \$32,792.72 have been submitted. The administrative fee required pursuant to R850-40-1800 has been paid in advance with a one-time payment of \$1,000.00.

EASEMENT NO. 1485 (APPROVAL)**APPLICANT'S NAME AND ADDRESS:**

Kane County
 Kane County Courthouse
 76 North Main Street
 Kanab, Utah 84741

LEGAL DESCRIPTION:

The following descriptions are based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database ("SGID").

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System ("GPS") data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey ("USGS") to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey ("USGS").

The following descriptions closely approximate the location of the centerline of the physical monument based on mapping grade Global Positioning System ("GPS") data as defined above:

Township 42 South, Range 7 West, SLB&M

Section 16: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ (within)

Popular Name: Red Knoll Road

County Road Number: K1200

State Geographic Information Database ("SGID") Road Identification Number: RD130042.

A 66 foot wide easement being 33 feet on each side of the following described centerline:

Beginning at a point on the road center line located at 37°09'10.31" North Latitude and -112°38'16.92" West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,308,744.58 feet and Y = 10,021,551.88 feet; thence the following courses along the said road center line: N 58°57'48" W 22.1 feet; thence N 59°05'44" W 22.2 feet; thence N 56°26'12" W 22.1 feet; thence N 56°41'46" W 22.2 feet; thence N 56°30'29" W 22.2 feet; thence N 54°45'16" W 22.6 feet; thence N 54°15'53" W 22.3 feet; thence N 53°27'23" W 21.9 feet; thence N 50°58'43" W 22 feet; thence N 45°56'47" W 22.3 feet; thence N 42°31'33" W 22.1 feet; thence N 39°13'01" W 22.1 feet; thence N 37°02'22" W 21.5 feet; thence N 36°56'29" W 20.4 feet; thence N 33°31'35" W 20.6 feet; thence N 31°44'06" W 20.2 feet; thence N 29°47'22" W 19.8 feet; thence N 30°14'02" W 18.9 feet; thence N 29°06'10" W 18.7 feet; thence N 26°51'26" W 18.3 feet; thence N 26°31'06" W 17.4 feet; thence N 26°33'03" W 16.5 feet; thence N 25°37'19" W 16.3 feet; thence N 22°08'07" W 16.8 feet; thence N 22°29'12" W 16 feet; thence N 22°11'51" W 16.8 feet; thence N 22°11'51" W 16.8 feet; thence N 24°29'30" W 15.3 feet; thence N 22°29'15" W 13.3 feet; thence N 19°46'42" W 11.3 feet; thence N 23°19'03" W 7.1 feet; thence N 23°46'10" W 3.5 feet; thence N 21°16'14" W 11.5 feet; thence N 20°55'19" W 14.9 feet; thence N 19°34'56" W 17.4 feet; thence N 19°16'31" W 17.4 feet; thence N 20°11'52" W 16.6 feet; thence N 18°14'40" W 17.2 feet; thence N 17°37'12" W 17.2 feet; thence N 15°19'31" W 17.8 feet; thence N 14°55'03" W 17.8 feet; thence N 15°19'31" W 17.8 feet; thence N 14°36'38" W 17.8 feet; thence N 14°57'50" W 18.7 feet;

EASEMENT NO. 1485 (APPROVAL) (CONTINUED)

thence N 12°59'50" W 18.5 feet; thence N 13°07'35" W 19.4 feet; thence N 15°43'54" W 17.9 feet; thence N 16°02'08" W 17.9 feet; thence N 11°06'01" W 18.4 feet; thence N 09°29'19" W 17.5 feet; thence N 05°43'57" W 17.3 feet; thence N 02°56'38" W 15.6 feet; thence N 02°18'48" W 14 feet; thence N 01°26'16" W 16.4 feet; thence N 00°44'57" E 18.1 feet; thence N 03°14'42" E 18.1 feet; thence N 02°47'37" E 18.9 feet; thence N 05°22'08" E 19 feet; thence N 05°36'26" E 19.8 feet; thence N 08°03'05" E 19.9 feet; thence N 11°27'25" E 20.1 feet; thence N 14°40'17" E 18.7 feet; thence N 16°07'11" E 18.8 feet; thence N 16°33'25" E 18 feet; thence N 16°05'27" E 17.1 feet; thence N 15°08'14" E 17 feet; thence N 14°28'51" E 16.1 feet; thence N 13°17'41" E 15.2 feet; thence N 12°17'15" E 16 feet; thence N 13°26'38" E 15.2 feet; thence N 12°17'15" E 16 feet; thence N 11°20'52" E 16.8 feet; thence N 10°41'12" E 16.7 feet; thence N 10°05'12" E 15.8 feet; thence N 11°34'19" E 16 feet; thence N 13°44'38" E 14.3 feet; thence N 13°04'33" E 14.3 feet; thence N 11°16'36" E 14.2 feet; thence N 11°10'59" E 13.4 feet; thence N 09°03'15" E 13.3 feet; thence N 22°48'50" E 10.7 feet; thence N 10°21'18" E 8.3 feet; thence N 08°03'05" E 14.9 feet; thence N 07°06'52" E 16.5 feet; thence N 05°25'05" E 16.5 feet; thence N 03°56'23" E 16.5 feet; thence N 02°41'03" E 16.4 feet; thence N 02°53'15" E 14.8 feet; thence N 03°04'52" E 15.6 feet; thence N 03°16'05" E 14.8 feet; thence N 02°30'23" E 14.8 feet; thence N 03°31'18" E 12.3 feet; thence N 01°17'38" E 10.7 feet; thence N 03°46'30" E 7.4 feet; thence N 03°46'30" E 7.4 feet; thence N 01°05'17" E 8.2 feet; thence N 07°20'35" E 9.1 feet; thence N 14°19'42" W 3.4 feet; thence N 00°05'22" E 14.8 feet; thence N 00°56'49" W 17.2 feet; thence N 02°41'30" W 17.2 feet; thence N 03°29'50" W 16.4 feet; thence N 02°48'42" W 16.4 feet; thence N 00°53'43" W 15.6 feet; thence N 01°13'54" E 14.8 feet; thence N 02°23'07" E 14.7 feet; thence N 01°51'49" E 14 feet; thence N 03°28'37" E 14 feet; thence N 03°38'54" E 14.8 feet; thence N 07°44'36" E 14.1 feet; thence N 14°57'02" E 13.6 feet; thence N 21°54'11" E 13.3 feet; thence N 26°20'35" E 11.9 feet; thence N 25°11'35" E 10.9 feet; thence N 23°27'25" E 9 feet; thence N 26°08'29" E 6.4 feet; thence N 29°38'58" E 4.7 feet; thence N 27°46'48" E 11.2 feet; thence N 29°42'50" E 15.2 feet; thence N 28°32'13" E 17.8 feet; thence N 28°49'25" E 17.8 feet; thence N 27°22'55" E 16.7 feet; thence N 30°52'09" E 16.3 feet; thence N 35°22'01" E 16.2 feet; thence N 37°23'37" E 16.6 feet; thence N 40°09'19" E 17.2 feet; thence N 41°55'53" E 17.7 feet; thence N 41°20'28" E 19.8 feet; thence N 44°53'52" E 21 feet; thence N 46°15'21" E 21.5 feet; thence N 46°43'22" E 20.5 feet; thence N 45°57'36" E 20.2 feet; thence N 44°42'27" E 19.7 feet; thence N 44°42'27" E 18.6 feet; thence N 45°49'51" E 17.8 feet; thence N 45°41'01" E 17.7 feet; thence N 48°01'11" E 17.3 feet; thence N 48°31'18" E 17.4 feet; thence N 47°15'38" E 18.2 feet; thence N 48°31'18" E 17.4 feet; thence N 42°23'57" E 17.9 feet; thence N 46°22'33" E 16.7 feet; thence N 46°45'31" E 16.9 feet; thence N 50°02'46" E 16.7 feet; thence N 46°50'22" E 18.1 feet; thence N 49°37'56" E 17.8 feet; thence N 49°46'35" E 19.2 feet; thence N 50°45'46" E 19.6 feet; thence N 48°04'26" E 19.8 feet; thence N 48°04'26" E 19.8 feet; thence N 48°19'32" E 19.9 feet; thence N 48°12'00" E 19.8 feet; thence N 50°52'59" E 19.6 feet; thence N 48°48'43" E 20.1 feet; thence N 49°04'33" E 20.1 feet; thence N 50°42'08" E 19.6 feet; thence N 50°52'59" E 19.6 feet; thence N 48°34'29" E 20 feet; thence N 48°19'32" E 19.9 feet; thence N 50°05'21" E 19.3 feet; thence N 49°08'19" E 18.9 feet; thence N 47°34'54" E 17.1 feet; thence N 46°27'10" E 16.8 feet; thence N 49°58'27" E 16.7 feet; thence N 42°24'01" E 19 feet; thence N 48°01'06" E 19.7 feet; thence N 46°22'33" E 19.1 feet; thence N 48°17'02" E 18.6 feet; thence N 47°28'06" E 18.3 feet; thence N 48°56'38" E 17.6 feet; thence N 47°28'06" E 18.3 feet; thence N 49°21'33" E 17.7 feet; thence N 48°56'38" E 17.6 feet; thence N 50°14'06" E 18.1 feet; thence N 49°08'19" E 18.9 feet; thence N 49°54'07" E 19.2 feet; thence N 49°04'26" E 18.9 feet; thence N 50°25'58" E 18.1 feet; thence N 49°13'17" E 17.7 feet; thence N 52°08'20" E 16.1 feet; thence N 54°22'48" E 15.6 feet; thence N 50°03'29" E 15.4 feet; thence N 54°31'08" E 15.7 feet; thence N 55°03'53" E 15.9 feet; thence N 58°05'03" E 15.6 feet; thence N 54°31'07" E 15.7 feet; thence N 55°39'42" E 16.1 feet; thence N 50°49'23" E 17 feet; thence N 56°11'34" E 17.8 feet; thence N 58°00'04" E 18.7 feet; thence N 62°29'19" E 18 feet; thence N 59°19'20" E 17.8 feet; thence N 58°16'41" E 17.3 feet; thence N 57°20'51" E 16.9 feet; thence N 58°59'08" E 16 feet; thence N 60°25'27" E 15.2 feet; thence N 61°38'06" E 13.9 feet; thence N 66°01'31" E 12.3 feet; thence N 63°03'57" E 11 feet; thence N 67°20'21" E 8.6 feet; thence N 68°51'54" E 6.9 feet; thence N 38°57'07" W 5.3 feet; thence N 67°38'22" E 6.6 feet; thence N 75°20'59" E 9.9 feet; thence N 72°45'08" E 14.1 feet; thence N 73°40'30" E 17.8 feet; thence N 75°26'35" E 20 feet; thence N 73°55'16" E 21.1 feet; thence N 71°52'57" E 21.4 feet; thence N 73°40'30" E 20.8 feet; thence N 70°37'15" E 20.1 feet; thence N 68°37'59" E 18.3 feet; thence N 58°39'04" E 17.4 feet; thence N 53°17'23" E 16.6 feet; thence N 44°57'07" E 16.3 feet; thence N

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37°07'24" E 16.5 feet; thence N 30°28'21" E 16.2 feet; thence N 25°39'29" E 16.4 feet; thence N 22°29'24" E 17.8 feet; thence N 19°53'31" E 18.4 feet; thence N 19°18'46" E 18.3 feet; thence N 17°16'16" E 19.8 feet; thence N 16°38'06" E 19.7 feet; thence N 16°38'06" E 19.7 feet; thence N 16°29'39" E 20.6 feet; thence N 16°13'53" E 20.5 feet; thence N 17°06'18" E 20.6 feet; thence N 17°32'07" E 21.5 feet; thence N 17°52'01" E 21.6 feet; thence N 17°16'00" E 22.4 feet; thence N 16°34'06" E 22.3 feet; thence N 16°12'43" E 23.1 feet; thence N 15°44'33" E 23 feet; thence N 14°39'52" E 23.8 feet; thence N 17°03'05" E 22.3 feet; thence N 16°45'23" E 23.2 feet; thence N 17°36'21" E 23.3 feet; thence N 17°51'04" E 22.4 feet; thence N 18°41'26" E 21.7 feet; thence N 15°50'20" E 22.2 feet; thence N 17°03'05" E 22.3 feet; thence N 17°42'04" E 21.6 feet; thence N 17°12'08" E 21.5 feet; thence N 16°59'27" E 20.7 feet; thence N 17°28'43" E 21.5 feet; thence N 17°53'03" E 20.7 feet; thence N 18°15'43" E 19.9 feet; thence N 17°11'31" E 20.6 feet; thence N 17°02'42" E 20.6 feet; thence N 17°35'50" E 20.7 feet; thence N 18°39'23" E 20.8 feet; thence N 17°12'08" E 21.5 feet; thence N 16°29'39" E 20.6 feet; thence N 16°29'39" E 20.6 feet; thence N 17°35'50" E 20.7 feet; thence N 18°55'03" E 19.9 feet; thence N 17°47'01" E 19.9 feet; thence N 17°51'36" E 19 feet; thence N 17°10'05" E 18.9 feet; thence N 16°33'24" E 18 feet; thence N 17°45'48" E 17.3 feet; thence N 17°02'07" E 17.2 feet; thence N 17°33'41" E 16.4 feet; thence N 17°47'52" E 15.5 feet; thence N 16°38'24" E 15.4 feet; thence N 18°03'41" E 14.7 feet; thence N 17°41'47" E 14.7 feet; thence N 18°05'58" E 13.8 feet; thence N 16°53'46" E 12.9 feet; thence N 15°50'20" E 11.1 feet; thence N 14°57'45" E 9.4 feet; thence N 19°30'23" E 6.1 feet; thence N 21°30'32" E 3.5 feet; thence N 21°30'32" E 4.4 feet; thence N 20°18'49" E 4.4 feet; thence N 17°52'01" E 4.3 feet; thence N 17°03'41" E 13.8 feet; thence N 18°08'32" E 18.2 feet; thence N 18°19'38" E 22.5 feet; thence N 17°22'49" E 25 feet; thence N 17°31'35" E 24.1 feet; thence N 16°13'31" E 24.8 feet; thence N 16°25'45" E 23.9 feet; thence N 16°41'01" E 24.1 feet; thence N 16°35'16" E 24.9 feet; thence N 17°40'01" E 25 feet; thence N 16°56'56" E 24.9 feet; thence N 15°53'40" E 25.7 feet; thence N 16°58'16" E 24.9 feet; thence N 17°44'55" E 24.2 feet; thence N 16°37'54" E 24 feet; thence N 16°40'44" E 23.2 feet; thence N 16°26'44" E 23.1 feet; thence N 17°11'47" E 23.3 feet; thence N 16°34'46" E 24 feet; thence N 16°37'54" E 24 feet; thence N 15°52'46" E 23.9 feet; thence N 15°52'46" E 23.9 feet; thence N 16°55'51" E 24 feet; thence N 15°42'55" E 24.7 feet; thence N 16°06'21" E 23.9 feet; thence N 15°44'33" E 23 feet; thence N 15°45'27" E 22.2 feet; thence N 16°11'46" E 21.4 feet; thence N 14°29'46" E 21.2 feet; thence N 15°42'11" E 20.5 feet; thence N 15°26'17" E 20.5 feet; thence N 15°58'03" E 20.5 feet; thence N 17°01'04" E 20.6 feet; thence N 17°07'54" E 22.4 feet; thence N 17°17'31" E 22.4 feet; thence N 19°02'12" E 22.6 feet; thence N 19°16'18" E 22.6 feet; thence N 19°30'22" E 21.8 feet; thence N 20°15'48" E 21 feet; thence N 19°30'22" E 20.9 feet; thence N 20°17'46" E 20.2 feet; thence N 18°08'32" E 20.8 feet more or less to the ending point at 37°09'57.18" North Latitude and -112°37'58.08" West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,310,327.3 feet and Y = 10,026,273.6 feet. Said described centerline being shortened or elongated to match the Grantor's property lines. Total length is 5632.20 feet. Containing 8.53 acres, more or less.

Township 43 South, Range 1 East, SLB&M

Section 1: Lot 4 (within)

Popular Name: K7060

County Road Number: K7060

State Geographic Information Database ("SGID") Road Identification Number: RD130740.

A 66 foot wide easement being 33 feet on each side of the following described centerline:

Beginning at a point on the road center line located at 37°06'25.26" North Latitude and -111°45'34.95" West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,564,678.6 feet and Y = 10,002,945.7 feet, thence the following courses along the said road center line: S 78°52'35" E 13.1 feet; thence S 76°34'45" E 17.3 feet; thence S 76°40'54" E 17.4 feet; thence S 76°49'57" E 17.6

EASEMENT NO. 1485 (APPROVAL) (CONTINUED)

feet; thence S 77°03'09" E 17.9 feet; thence S 77°11'44" E 18.1 feet; thence S 77°29'41" E 18.5 feet; thence S 77°37'07" E 18.8 feet; thence S 80°25'45" E 19 feet; thence S 79°59'39" E 18.3 feet; thence S 82°16'28" E 17.6 feet; thence S 84°34'38" E 16.5 feet; thence S 87°09'20" E 14.4 feet; thence S 86°28'31" E 12.8 feet; thence S 86°37'19" E 12.8 feet; thence S 86°43'22" E 13.2 feet; thence S 88°05'11" E 42.5 feet; thence S 87°26'12" E 16.4 feet; thence N 89°42'02" E 17 feet; thence S 87°31'31" E 17 feet; thence N 89°42'02" E 16.4 feet; thence N 89°42'02" E 15 feet; thence N 89°42'02" E 12.8 feet; thence N 89°42'02" E 9.4 feet; thence N 89°42'02" E 3.8 feet; thence N 89°42'02" E 3.9 feet; thence N 83°37'41" E 7.8 feet; thence N 89°42'02" E 10.7 feet; thence N 85°38'59" E 11.6 feet; thence N 80°14'18" E 10 feet; thence N 78°15'25" E 8.3 feet; thence N 75°59'37" E 6.9 feet; thence N 74°39'15" E 9.5 feet; thence N 75°03'49" E 9.9 feet; thence N 72°53'03" E 16.9 feet; thence N 71°27'54" E 20.9 feet; thence N 68°45'46" E 23.1 feet; thence N 69°22'39" E 23.6 feet; thence N 67°42'34" E 1.8 feet more or less to the ending point at 37°06'25.23" North Latitude and -111°45'27.94" West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,565,246.2 feet and Y = 10,002,940.2 feet. Said described centerline being shortened or elongated to match the Grantor's property lines. Total length is 578.50 feet. Containing 0.88 acres, more or less.

COUNTY: Kane

ACRES: 9.41

FUND: School

PROPOSED ACTION:

The applicant has requested a non-exclusive easement to operate, repair, and maintain two existing access roads located within Kane County. These access roads are part of Kane County's public road system and are classified as Class B roads by the County. County Road No. K1200 (Red Knoll Road) is located within T42S, R7W, Sec. 16, approximately 13 miles northwest of Kanab. This access road corridor is 5,632.20 feet long and 66 feet wide, containing 8.53 acres. County Road No. K7060 is located on the northern edge of the Big Water Block, approximately 6 miles northwest of Big Water. This access road corridor is 578.50 feet long and 66 feet wide, containing 0.88 acres. The entire proposed easement corridor is 6,210.70 feet long and 66 feet wide, containing 9.41 acres. The applicant has requested a perpetual term for the easement.

RELEVANT FACTUAL BACKGROUND:

The subject "Application to Purchase an Easement" was received on May 5, 2009. It was submitted for Agency review on May 5, 2009, and was accepted by the Director on May 21, 2009.

During the Agency review period, the Planning & Development Group expressed a concern about the potential of perpetual off-highway vehicle ("OHV") use occurring on County Road K7060, which could negatively impact development activity on the Big Water Block.

The proposed easement was exempt from review by the Resource Development Coordinating Committee ("RDCC") since it is for an existing access road and will involve no new ground disturbance outside of the existing disturbed corridor.

EVALUATION OF FACTS:

As part of the Agency's ongoing evaluation of county road claims on trust lands, it has been determined that the subject roads existed on trust lands prior to January 1, 1992, and, therefore, a temporary easement has existed on the subject roads pursuant to Utah Code 72-5-203(1). The applicant now desires to establish a permanent easement for the subject roads. Pursuant to R850-40-250(3), the Agency has evaluated the applicant's request to convert this temporary easement to a permanent easement and has determined that granting this request is consistent with the fiduciary responsibilities of the Agency.

The concern regarding the potential of perpetual OHV use occurring on County Road K7060, which was expressed by the Planning & Development Group, will be addressed as follows:

EASEMENT NO. 1485 (APPROVAL) (CONTINUED)

Rather than using the Agency's OHV funding program to fund the fees and rental associated with this easement, which would have required the County to allow OHV use on the subject roads in perpetuity, the Agency will use the 2006 Right-of-Way Acquisition Fund to pay the fees and rental associated with the easement. The 2006 Right-of-Way Acquisition Fund is a one-time appropriation approved in the 2006 session of the Utah State Legislature for use by the Agency to assist local governments in the acquisition of easements for county roads.

Furthermore, a relocation clause will be included in the easement agreement to facilitate potential future development activities on the Big Water Block.

The Agency's archaeology staff has reviewed the proposed easement and has determined that, as long as there is no further ground disturbance outside of the existing footprint of the subject roads, no cultural resource survey will be required. A stipulation will be included in the easement agreement which will require the County to comply with any cultural resource survey requirements if it desires to widen the subject roads beyond its current footprint at some point in the future.

Upon recommendation of Mr. Chris Fausett, the Director approved the applicant's request for a non-exclusive easement. The easement will be issued for a perpetual term beginning June 1, 2009. The application fee of \$750.00 and the easement rental assessment of \$3,764.06 have been submitted. The administrative fee required pursuant to R850-40-1800 has been paid in a one-time payment of \$1,000.00. The application fee, administrative fee, and easement rental assessment will be funded through the 2006 Right-of-Way Acquisition Fund.

SPECIAL USE LEASE AGREEMENTS**SPECIAL USE LEASE AGREEMENT NO. 1638 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Canyon Fuels Company, LLC
1 City Place Drive, Suite 300
St. Louis, MO 63141

APPLICATION TYPE: INDUSTRIAL
TERMS: 5 years
BEGINNING DATE: July 1, 2009
ENDING DATE: June 30, 2014

FIRST YEAR RENTAL:	\$2,450.00
APPLICATION FEE:	250.00
LEASE PROCESSING:	700.00
ADVERTISING FEE:	<u>149.76</u>
TOTAL SUBMITTED:	\$3,549.76

LEGAL DESCRIPTION:

Township 15 South, Range 12 East, SLB&M
Section 16: E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ (within)

Containing 10.00 acres, more or less.

COUNTY: Carbon

ACRES: 10.00

FUND: School

PROPOSED ACTION:

The applicant proposes to operate and maintain a lease for a coal storage yard.

SPECIAL USE LEASE AGREEMENT NO. 1638 (APPROVAL) (CONTINUED)**RELEVANT FACTUAL BACKGROUND:**

This property is currently leased to the applicant under Special Use Lease Agreement No. 818. SULA 818 originated July 1, 1989, for a term of 20 years. SULA 818 will expire June 30, 2009, and the applicant requests a new lease for five years beginning July 1, 2009.

A cultural resource inventory will not be required as the area will not change uses and no new area will be disturbed.

The Resource Development Coordinating Committee ("RDCC") was not contacted as no new disturbance will occur on the property.

EVALUATION OF FACTS:

Competing applications were solicited pursuant to R850-30-500(2) and no competing applications were received.

The proposed lease term of five years is less than the standard term for industrial leases. The rental for this lease meets the requirements outlined in R850-30-400(1). As this lease expires in five years (on June 30, 2014), there will be no reviews of the rental during the lease term.

This action qualifies as an exclusion to the narrative record of decision because it does not warrant the time and expense necessary to complete a full narrative record of decision. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Kurt Higgins, the Director approved the issuance of SULA 1638 with a five year term beginning July 1, 2009, and expiring June 30, 2014. The \$250.00 application fee and the first year's rental in the amount of \$2,450.00 have been submitted.

SPECIAL USE LEASE AGREEMENT NO. 1627 (RELINQUISHMENT)

Uintah Basin Field, Services, P.O. Box 2819, Rock Springs, WY 82902, submitted a letter on May 20, 2009, stating they intend to relinquish Special Use Lease Agreement No. 1627. SULA 1627 was approved on the Director's Minutes dated March 9, 2009. This lease began April 11, 2009, for a term of 30 years. The purpose of the lease was for a gas compressor facility. The \$250.00 application fee will be forfeited to Trust Lands Administration. No other fees were collected. Uintah County. School Fund.

Upon recommendation of Mr. Kurt Higgins, the Director approved the relinquishment of SULA 1627.

SPECIAL USE LEASE AGREEMENT NO. 763-A (ASSIGNMENT)

Pursuant to R850-30-900, Daniel J. Anderson, Executor of E. Virgil Anderson's estate, requests permission to assign 100% interest in the above-referenced special use lease to Richard S. Moser, 3840 S. Apple Valley Drive, Apple Valley, UT 84737. The lease is up-to-date with the current lease form and the assignee is acceptable to the Agency; therefore, the conditions outlined in R850-30-900(6) have been met. The \$250.00 assignment fee has been submitted. Washington County. School Fund.

Upon recommendation of Mr. Lou Brown, the Director approved the assignment of SULA 763-A.

SPECIAL USE LEASE AGREEMENT NO. 1599 (ASSIGNMENT) (CORRECTION OF MINUTES DATED APRIL 6, 2009)

The assignment of SULA 1599 was approved on the Director's Minutes dated April 6, 2009. The minute entry incorrectly reported that Milford Wind Corridor, LLC, sought approval to assign 100% of its interests in SULA 1599 to Milford Wind Corridor Phase I, LLC. Instead, Milford Wind Corridor, LLC, sought to assign 100% of its interest in SULA 1599 *located in Beaver County, Utah*, to Milford Wind Corridor *Phase I*, LLC, and 100% of its interests in SULA 1599 *located in Millard County, Utah*, to Milford Wind Corridor *Phase II*, LLC.

The real property located in Beaver County, Utah, and affected by the foregoing assignment is described as follows:

PARCEL 1:

The Southwest Quarter of the Northwest Quarter of Section 32, Township 26 South, Range 9 West, Salt Lake Base and Meridian.

Also, the Southwest Quarter of Section 32, Township 26 South, Range 9 West, Salt Lake Base and Meridian. Consists of 200.00 acres.

PARCEL 2:

The North Half of Section 36, Township 26 South, Range 10 West, Salt Lake Base and Meridian. Consists of 320.00 acres.

PARCEL 3:

The East Half of the Northeast Quarter of Section 9, Township 26 South, Range 10 West, Salt Lake Base and Meridian. Consists of 80.00 acres.

PARCEL 4-A:

Section 2, Township 26 South, Range 10 West, Salt Lake Base and Meridian.

Part of SW4SW4 (18.54 acres), Part of SE4SW4 (18.54 acres), Part of SW4SE4 (18.54 acres), Part of SE4SE4 (18.54 acres). Consists of 74.16 acres.

The real property located in Millard County, Utah, and affected by the foregoing assignment is described as follows:

PARCEL 4-B:

Section 2, Township 26 South, Range 10 West, Salt Lake Base and Meridian.

N2S2, Part of SW4SW4 (21.46 acres), Part of SE4SW4 (21.46 acres), Part of SW4SE4 (21.46 acres), Part of SE4SE4 (21.46 acres). Consists of 245.84 acres.

PARCEL 5:

The East Half of Section 36, Township 25 South, Range 10 West, Salt Lake Base and Meridian. Consists of 320.00 acres.

PARCEL 6:

The West Half of the Southeast Quarter and the Southwest Quarter of Section 26, Township 25 South, Range 10 West, Salt Lake Base and Meridian. Consists of 240.00 acres.

PARCEL 7:

The East Half of the Southeast Quarter of Section 27, Township 25 South, Range 10 West, Salt Lake Base and Meridian. Consists of 80.00 acres.

Upon recommendation of Mr. Kurt Higgins, the Director approved the above-listed correction.

AMENDED & RESTATED SPECIAL USE LEASE AGREEMENT NO. 1599 (PARTIAL ASSIGNMENT TO SULA 1599-A & TRANSFER OF FUNDS FROM SULA 1599) (CORRECTION OF MINUTES DATED APRIL 6, 2009)

The partial assignment of SULA 1599 to SULA 1599-A & Transfer of Funds from SULA 1599 was approved on the Director's Minutes dated April 6, 2009. The minute entry incorrectly reported that Milford Wind Corridor Phase I, LLC, sought permission to assign 100% of its interest in SULA 1599, in the subject property located in Beaver County, Utah, to First Wind Energy LLC. **Instead, Milford Wind Corridor Phase I, LLC, requested approval to enter into Amended and Restated Special Use Lease Agreement No. 1599-A.** The purpose for the request was to separate SULA 1599 into two leases, Amended and Restated Special Use Lease Agreement No. 1599-A and Amended and Restated Special Use Lease Agreement No. 1599-B, with the leases split by county boundary lines and with a separate business entity as lessee under each lease. The lessee under Amended and Restated Special Use Lease Agreement No. 1599-A is **Milford Wind Corridor Phase I, LLC**, and the real property encompassed by the amended and restated lease is described as follows:

PARCEL 1:

The Southwest Quarter of the Northwest Quarter of Section 32, Township 26 South, Range 9 West, Salt Lake Base and Meridian.

Also, the Southwest Quarter of Section 32, Township 26 South, Range 9 West, Salt Lake Base and Meridian. Consists of 200.00 acres.

PARCEL 2:

The North Half of Section 36, Township 26 South, Range 10 West, Salt Lake Base and Meridian. Consists of 320.00 acres.

PARCEL 3:

The East Half of the Northeast Quarter of Section 9, Township 26 South, Range 10 West, Salt Lake Base and Meridian. Consists of 80.00 acres.

PARCEL 4-A:

Section 2, Township 26 South, Range 10 West, Salt Lake Base and Meridian.

Part of SW4SW4 (18.54 acres), Part of SE4SW4 (18.54 acres), Part of SW4SE4 (18.54 acres), Part of SE4SE4 (18.54 acres). Consists of 74.16 acres.

TOTAL ACRES: 674.16

The funds from SULA 1599 attributable to the leased lands located in Beaver County, Utah, should be transferred to Amended and Restated Special Use Lease Agreement No. 1599-A.

Upon recommendation of Mr. Kurt Higgins, the Director approved the above-listed correction.

AMENDED & RESTATED SPECIAL USE LEASE AGREEMENT NO. 1599 (PARTIAL ASSIGNMENT TO SULA 1599-B & TRANSFER OF FUNDS FROM SULA 1599) (CORRECTION OF MINUTES DATED APRIL 6, 2009)

The partial assignment of SULA 1599 to SULA 1599-B & Transfer of Funds from SULA 1599 was approved on the Director's Minutes dated April 6, 2009. The minute entry incorrectly reported that Milford Wind Corridor Phase I, LLC, sought permission to assign 100% of its interest in SULA 1599, in the subject property located in Millard County, Utah, to First Wind Energy LLC. **Instead, Milford Wind Corridor Phase II, LLC, requested approval to enter into Amended and Restated Special Use Lease Agreement No. 1599-B.** The purpose for the request was to separate SULA 1599 into two leases, Amended and Restated Special Use Lease Agreement No. 1599-A and Amended and Restated Special Use Lease Agreement No. 1599-B, with the leases split by county boundary lines and with a separate business entity as lessee under each lease. The lessee under Amended and Restated Special Use Lease Agreement No. 1599-B is **Milford Wind Corridor Phase II, LLC**, and the real property encompassed by the amended and restated lease is described as follows:

PARCEL 4-B:

Section 2, Township 26 South, Range 10 West, Salt Lake Base and Meridian.

N2S2, Part of SW4SW4 (21.46 acres), Part of SE4SW4 (21.46 acres), Part of SW4SE4 (21.46 acres), Part of SE4SE4 (21.46 acres). Consists of 245.84 acres.

PARCEL 5:

The East Half of Section 36, Township 25 South, Range 10 West, Salt Lake Base and Meridian. Consists of 320.00 acres.

PARCEL 6:

The West Half of the Southeast Quarter and the Southwest Quarter of Section 26, Township 25 South, Range 10 West, Salt Lake Base and Meridian. Consists of 240.00 acres.

PARCEL 7:

The East Half of the Southeast Quarter of Section 27, Township 25 South, Range 10 West, Salt Lake Base and Meridian. Consists of 80.00 acres.

TOTAL ACRES: 885.84

The funds from SULA 1599 attributable to the leased lands located in Millard County, Utah, should be transferred to Amended and Restated Special Use Lease Agreement No. 1599-B.

Upon recommendation of Mr. Kurt Higgins, the Director approved the above-listed correction.

PREDESIGNATIONS**PREDESIGNATION NO. 748 (ISSUANCE OF CONDITIONAL DISCLAIMER OF INTEREST IN RIGHT OF WAY)**

Kane County, 76 North Main, Kanab, Utah, 84741-0728, has submitted documentation which indicates that the following described roads meet the requirements set forth by the Trust Lands Administration Board of Trustees in Board Policy 2006-01 to be conditionally recognized as valid existing rights pursuant to federal law prior to the title of the property vesting in the State of Utah.

LEGAL DESCRIPTION:

The following descriptions are based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database ("SGID").

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System ("GPS") data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey ("USGS") to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey ("USGS").

The following descriptions closely approximate the location of the centerline of the physical monument based on mapping grade Global Positioning System ("GPS") data as defined above:

Township 43 South, Range 1 East, SLB&M

Section 1: Lot 3, W½W½ (within)

Popular Name: K7065

County Road Number: K7065

State Geographic Information Database ("SGID") Road Identification Number: RD130741.

A 100 foot wide corridor, being 50 feet on each side of the following described centerline:

Beginning at a point on the road center line located at 37°05'42.14" North Latitude and -111°45'31.04" West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,564,982.9 feet and Y = 9,998,583.5 feet, thence the following courses along the said road center line: N 11°50'05" E 6.7 feet; thence N 04°55'29" E 11.5 feet; thence N 02°17'04" W 12.3 feet; thence N 12°34'11" W 13.4 feet; thence N 22°28'23" W 16.9 feet; thence N 36°07'01" W 17.2 feet; thence N 42°41'36" W 18.9 feet; thence N 43°29'58" W 21.4 feet; thence N 63°56'29" W 20.3 feet; thence N 69°38'54" W 20.9 feet; thence N 74°39'24" W 21.3 feet; thence N 77°06'30" W 21.6 feet; thence N 75°01'43" W 21.8 feet; thence N 70°14'02" W 21.5 feet; thence N 65°09'51" W 21.2 feet; thence N 55°56'28" W 21.9 feet; thence N 47°23'02" W 21.7 feet; thence N 39°17'36" W 21.1 feet; thence N 33°59'21" W 19.8 feet; thence N 30°18'55" W 18 feet; thence N 26°17'59" W 16.4 feet; thence N 17°20'53" W 12.9 feet more or less to the ending point at 37°05'44.64" North Latitude and -111°45'34.31" West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,564,719.1 feet and Y = 9,998,836.5 feet. Said described centerline being shortened or elongated to match the Grantor's property lines. Total length is 398.70 feet. Containing 0.91 acres, more or less.

PREDESIGNATION NO. 748 (ISSUANCE OF CONDITIONAL DISCLAIMER OF INTEREST IN RIGHT OF WAY) (CONTINUED)

Also, beginning at a point on the road center line located at 37°05'44.64" North Latitude and -111°45'34.31" West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,564,719.1 feet and Y = 9,998,836.5 feet, thence the following courses along the said road center line: S 38°35'00" W 26.4 feet; thence S 53°01'09" W 22 feet; thence S 70°27'13" W 24.9 feet; thence S 86°09'03" W 26.5 feet; thence N 75°44'05" W 29.4 feet; thence N 68°41'56" W 31.2 feet; thence N 73°35'38" W 31.3 feet; thence N 78°18'13" W 31.7 feet; thence N 82°59'36" W 32.3 feet; thence N 88°51'45" W 32.7 feet; thence S 88°17'43" W 33.5 feet; thence S 89°42'03" W 27 feet more or less to the ending point at 37°05'44.56" North Latitude and -111°45'38.35" West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,564,391.4 feet and Y = 9,998,829.9 feet. Said described centerline being shortened or elongated to match the Grantor's property lines. Total length is 348.90 feet. Containing 0.80 acres, more or less.

Also, beginning at a point on the road center line located at 37°05'44.64" North Latitude and -111°45'34.31" West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,564,719.1 feet and Y = 9,998,836.5 feet, thence the following courses along the said road center line: N 08°04'52" W 9.9 feet; thence N 04°52'22" W 5.8 feet; thence N 06°23'15" W 7.4 feet; thence N 03°45'20" W 4.9 feet; thence N 02°51'46" W 6.6 feet; thence N 03°25'16" W 9 feet; thence N 05°49'13" W 9.9 feet; thence N 05°03'45" W 9.9 feet; thence N 04°32'51" W 5.8 feet; thence N 04°35'17" W 6.6 feet; thence N 06°34'35" W 6.6 feet; thence N 06°43'50" W 9.1 feet; thence N 08°23'36" W 7.5 feet; thence N 05°37'52" W 9.9 feet; thence N 07°20'49" W 9.1 feet; thence N 06°34'35" W 13.2 feet; thence N 07°22'46" W 15.7 feet; thence N 05°33'55" W 19 feet; thence N 05°03'45" W 19.8 feet; thence N 04°19'33" W 20.6 feet; thence N 03°38'41" W 21.4 feet; thence N 04°23'53" W 19.7 feet; thence N 03°41'13" W 20.5 feet; thence N 02°22'54" W 18.1 feet; thence N 01°01'27" W 15.6 feet; thence N 03°05'30" W 14.8 feet; thence N 02°28'09" W 15.6 feet; thence N 02°35'23" W 15.6 feet; thence N 04°38'42" W 16.5 feet; thence N 02°10'24" W 18.1 feet; thence N 02°41'06" W 19.7 feet; thence N 02°06'46" W 19.7 feet; thence N 02°30'06" W 21.3 feet; thence N 01°24'08" W 22.2 feet; thence N 00°33'13" W 22.2 feet; thence N 00°17'56" W 22.2 feet; thence N 00°17'56" W 23.8 feet; thence N 00°11'31" E 23 feet; thence N 00°43'41" E 23.8 feet; thence N 00°24'43" E 23.8 feet; thence N 00°29'24" E 23.8 feet; thence N 01°07'23" E 23.8 feet; thence N 00°57'54" E 23.8 feet; thence N 01°06'39" E 21.3 feet; thence N 00°25'48" E 18.1 feet; thence N 00°20'14" E 14.8 feet; thence N 00°41'49" E 18.9 feet; thence N 00°17'56" W 8.2 feet; thence N 00°17'56" W 13.1 feet; thence N 00°03'45" E 15.6 feet; thence N 00°35'51" E 18.9 feet; thence N 00°35'51" E 18.9 feet; thence N 01°10'02" E 20.5 feet; thence N 01°26'31" E 20.5 feet; thence N 02°22'21" E 19.7 feet; thence N 02°56'38" E 19.7 feet; thence N 03°20'31" E 18.1 feet; thence N 02°43'11" E 15.6 feet; thence N 02°38'11" E 11.5 feet; thence N 01°13'42" E 7.4 feet; thence N 00°17'56" W 4.1 feet; thence N 01°59'29" E 3.3 feet; thence N 03°59'24" E 6.6 feet; thence N 05°13'20" E 9.9 feet; thence N 07°49'51" E 11.6 feet; thence N 08°30'41" E 13.3 feet; thence N 07°11'23" E 14.1 feet; thence N 05°00'15" E 15.6 feet; thence N 03°43'55" E 17.3 feet; thence N 05°41'41" E 19.8 feet; thence N 07°24'39" E 21.5 feet; thence N 07°16'07" E 23.2 feet; thence N 07°16'16" E 25.7 feet; thence N 06°49'33" E 26.5 feet; thence N 07°30'00" E 27.3 feet; thence N 06°48'33" E 28.1 feet; thence N 07°40'13" E 28.2 feet; thence N 09°36'06" E 27.5 feet; thence N 11°21'16" E 26.8 feet; thence N 13°03'54" E 27.8 feet; thence N 14°40'36" E 27.2 feet; thence N 15°24'34" E 27.3 feet; thence N 16°51'32" E 27.5 feet; thence N 18°19'23" E 28.6 feet; thence N 20°15'24" E 28 feet; thence N 21°22'43" E 28.3 feet; thence N 20°39'33" E 29 feet; thence N 20°14'02" E 28.9 feet; thence N 21°37'18" E 29.2 feet; thence N 22°05'54" E 29.3 feet; thence N 21°12'39" E 30 feet; thence N 22°02'20" E 29.3 feet; thence N 21°26'38" E 30 feet; thence N 20°56'07" E 30.8 feet; thence N 22°18'40" E 30.2 feet; thence N 22°15'13" E 30.2 feet; thence N 22°35'51" E 30.3 feet; thence N 22°35'51" E 30.3 feet; thence N 22°23'58" E 31.1 feet; thence N 22°53'57" E 31.2 feet; thence N 22°38'43" E 32.1 feet; thence N 22°27'24" E 32.9 feet; thence N 22°58'06" E 32.2 feet; thence N 21°36'32" E 32.7 feet; thence N 21°35'15" E 32.8 feet; thence N 22°28'59" E 32 feet; thence N 22°05'13" E 32.8 feet; thence N 22°36'51" E 32 feet; thence N 22°01'35" E 32 feet; thence N 23°10'02" E 30.4 feet; thence N 23°37'28" E 29.6 feet; thence N 23°30'30" E 29.6

PREDESIGNATION NO. 748 (ISSUANCE OF CONDITIONAL DISCLAIMER OF INTEREST IN RIGHT OF WAY) (CONTINUED)

feet; thence N 24°01'46" E 29.7 feet; thence N 23°20'14" E 30.5 feet; thence N 24°14'09" E 30.7 feet; thence N 23°58'00" E 31.5 feet; thence N 23°58'19" E 31.5 feet; thence N 24°09'34" E 31.5 feet; thence N 24°06'18" E 31.5 feet; thence N 23°30'24" E 30.5 feet; thence N 23°36'52" E 31.4 feet; thence N 24°30'51" E 30.7 feet; thence N 24°06'18" E 31.5 feet; thence N 24°44'10" E 30.8 feet; thence N 24°25'48" E 31.6 feet; thence N 24°32'46" E 29.8 feet; thence N 24°30'51" E 30.7 feet; thence N 25°13'43" E 30 feet; thence N 26°17'37" E 30.3 feet; thence N 25°33'37" E 31 feet; thence N 24°25'48" E 31.6 feet; thence N 23°36'52" E 31.4 feet; thence N 23°43'26" E 31.4 feet; thence N 24°04'06" E 30.6 feet; thence N 22°56'24" E 30.4 feet; thence N 23°06'00" E 29.5 feet; thence N 22°04'51" E 30.2 feet; thence N 22°30'45" E 29.4 feet; thence N 21°06'21" E 30.8 feet; thence N 21°19'57" E 30.9 feet; thence N 21°54'28" E 30.1 feet; thence N 21°44'03" E 30.1 feet; thence N 21°30'07" E 30 feet; thence N 21°37'18" E 29.2 feet; thence N 20°46'48" E 29 feet; thence N 21°26'32" E 29.2 feet; thence N 21°59'39" E 28.4 feet; thence N 21°48'36" E 28.3 feet; thence N 21°02'42" E 29 feet; thence N 21°53'44" E 29.3 feet; thence N 22°20'07" E 29.3 feet; thence N 23°11'30" E 29.6 feet; thence N 22°40'44" E 30.3 feet; thence N 22°56'24" E 30.4 feet; thence N 23°35'25" E 31.4 feet; thence N 24°14'35" E 31.6 feet; thence N 23°50'46" E 32.3 feet; thence N 24°17'52" E 32.5 feet; thence N 24°16'04" E 31.6 feet; thence N 23°30'12" E 32.3 feet; thence N 24°06'18" E 31.5 feet; thence N 24°06'18" E 31.5 feet; thence N 23°56'31" E 31.5 feet; thence N 24°24'11" E 28.9 feet; thence N 24°17'05" E 28.9 feet; thence N 24°17'05" E 28.9 feet; thence N 23°23'31" E 29.6 feet; thence N 23°27'00" E 29.6 feet; thence N 21°54'27" E 30.1 feet; thence N 21°48'36" E 28.3 feet; thence N 19°49'34" E 27.1 feet; thence N 15°28'48" E 26.4 feet; thence N 12°06'29" E 25.2 feet; thence N 11°29'58" E 22.6 feet; thence N 10°08'44" E 19.2 feet; thence N 08°39'04" E 13.3 feet; thence N 09°09'46" E 15 feet; thence N 05°30'52" E 9.1 feet; thence N 06°11'44" E 10.7 feet; thence N 05°50'50" E 10.7 feet; thence N 05°01'58" E 9.9 feet; thence N 05°18'36" E 7.4 feet; thence N 06°51'57" E 5.8 feet; thence N 06°29'22" E 4.2 feet; thence N 08°20'36" E 4.1 feet; thence N 15°55'53" E 15.4 feet; thence N 22°42'27" E 11.6 feet; thence N 24°34'11" E 15.4 feet; thence N 27°01'28" E 4.4 feet more or less to the ending point at 37°06'25.18" North Latitude and -111°45'20.44" West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,565,854.0 feet and Y = 10,002,934.3 feet. Said described centerline being shortened or elongated to match the Grantor's property lines. Total length is 4323.70 feet. Containing 9.93 acres, more or less.

Total length of easement corridor is 5,071.3 feet, containing 11.64 acres, more or less.

COUNTY: Kane

ACRES: 11.64

FUND: School

A Conditional Disclaimer of Interest in Right of Way (PRED 748) will be issued to Kane County for the above described lands.

Upon recommendation of Mr. Chris Fausett, the Director has conditionally recognized this valid existing right and assigned it Predesignation Number 748.

DEVELOPMENT ACTIONS

AMENDED AND RESTATED DEVELOPMENT LEASE AGREEMENT - DEVL 754 - IVORY SOUTHERN, LLC

AGREEMENT NO.: 754
PROJECT: Hidden Valley
PROJECT MANAGER: Douglas O. Buchi
PROJECT CODE: HIDVL 002 00
FUND: School
COUNTY: Washington
DATE OF AMENDMENT: January 1, 2009 (effective date of amendment)
EXPIRATION DATE: December 31, 2017 (subject to conditional five (5) year option to extend)

LESSEE:
IVORY SOUTHERN, LLC
A Utah Limited Liability Company
978 East Woodoak Lane
Salt Lake City, UT 84117

DESCRIPTION OF TRANSACTION:
Ivory Southern, LLC entered into Development Lease Agreement 754 on May 8, 2006, under which approximately 364.47 acres of land in Washington County, Utah, was leased pursuant to approved plans to subdivide and develop the land for residential and related purposes. The lease has been amended four times to: (1) add an additional 79.29 acres of land, increasing the project size to a total of 444 acres; (2) temporarily adjust, in response to changing market conditions, the land payment values payable to SITLA as a percentage of the sales price of individual home sales; and (3) make certain changes to the allocation of park impact fees. As the housing market in Washington County continued to spiral downward, the SITLA Board and staff agreed that it was prudent to restructure the entire business transaction by amending and restating the Development Lease Agreement. The goal of the restructuring was to preserve the Lessee's long term commitment to the successful completion of the Hidden Valley Planned Community, while creating upside for the Trust upon a market recovery. The amended and restated lease reduces the percentage of sales price paid to SITLA based on the selling price of a home paid at closing, to percentages of 10% to 12%, depending on the product type. In return for the reduction of percentage rates, SITLA will share 50/50 in the profits of the builder in excess of 5%. The amendment also approves a revised community plan that reduces the overall density of the project to a total of 980 units and specifies sites for an elementary school and church, and makes certain other revisions. The document text should be referred to for specific information.

The SITLA Board approved the proposed amended and restated lease relationship on March 19, 2009, subject to final review of the lease documentation. Staff has provided the Board with the final proposed document, and no Board members have requested further revisions.

LEGAL DESCRIPTION OF LEASED LANDS:
Township 43 South, Range 15 West, SLB&M
Section 7, 18, & 19

Township 43 South, Range 16 West, SLB&M
Section 13 & 24:

AMENDED AND RESTATED DEVELOPMENT LEASE AGREEMENT - DEVL 754 - IVORY SOUTHERN, LLC (CONTINUED)

Original Lease Parcel:

Beginning at the Southwesterly most corner of US Lot 12, Section 7, Township 43 South, Range 15 West, Salt Lake Base and Meridian, said point being located S 88°51'13" E along the section line 1280.54 feet from the South 1/4 corner of said Section 7, and running thence N 58°55'47" E along the Northwesterly line of said Lot 12, 193.80 feet; thence S 23°58'48" E to and along that parcel as described in Entry Number 907610 in the Records of Washington County; 254.69 feet to the point of a 1600.00 foot radius curve to the left; thence along the arc of said curve and said parcel through a central angle of 16°07'34" a distance of 450.33 feet; thence S 40°06'22" E along said parcel 27.61 feet to a point on the Westerly boundary of Desert Hills Subdivision; thence continuing along the boundary of said Desert Hills Subdivision the following seventeen (17) courses: S 47°34'45" W 34.35 feet to a point on a 30.00 foot radius non-tangent curve to the right, the center of which bears S 43°50'17" W; thence Southeasterly and Southwesterly along the arc of said curve through a central angle of 93°01'41" a distance of 48.71 feet; thence S 46°51'58" W 237.84 feet to the point of a 429.00 foot radius curve to the left; thence along the arc of said curve through a central angle of 16°37'39" a distance of 124.50 feet; thence S 87°58'10" W 148.89 feet; thence N 78°10'16" W 93.39 feet; thence S 3°44'58" E 249.26 feet; thence S 61°50'59" E 190.14 feet; thence S 1°10'21" E 267.46 feet to the point of a 2442.00 foot radius curve to the right; thence along the arc of said curve through a central angle of 8°14'22" a distance of 351.17 feet; thence N 80°22'46" W 117.57 feet; thence S 9°37'14" W 367.14 feet; thence S 32°15'04" W 122.28 feet; thence S 79°17'00" W 279.39 feet; thence S 6°18'11" E 239.00 feet; thence S 25°10'55" E 156.72 feet; thence S 9°19'20" W 245.83 feet; thence leaving said subdivision S 6°21'28" W 839.87 feet; thence S 77°22'21" W 3554.83 feet; thence N 88°32'22" W 439.98 feet to a point on the Easterly line of Section 13, Township 43 South, Range 16 West, Salt Lake Base and Meridian; thence N 1°15'11" E along the section line 650.60 feet to the South 1/16 corner of said Section 13; thence N 88°45'06" W along the 1/16 line 1321.56 feet to the Southeast 1/16 corner of said Section 13; thence N 1°15'24" E along the 1/16 line 1169.62 feet to a point on the Northwesterly boundary of that parcel as described in Entry Number 644932 in the Records of Washington County; thence N 56°53'27" E along said boundary 1600.72 feet to a point on the Easterly line of said Section 13, said point also being on the Southerly boundary of that parcel as described in Entry Number 642028 in the Records of Washington County; thence along said boundary the following three (3) courses: N 56°53'27" E 530.39 feet; thence N 81°07'00" E 604.88 feet; thence N 66°00'27" E 3485.32 feet to the point of beginning.

Contains 364.47 acres, more or less

And

BEGINNING AT THE SOUTHEAST 1/16 CORNER OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 16 WEST, SALT LAKE BASE MERIDIAN, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THAT PARTICULAR DOCUMENT RECORDED AS ENTRY NUMBER 644932, WASHINGTON COUNTY RECORDS; THENCE S 88° 45'06", 1321.56 FEET ALONG SAID SOUTH 1/16 LINE AND SAID BOUNDARY LINE TO THE SOUTH 1/16 CORNER, SAID POINT ALSO BEING A POINT ON THE WEST BOUNDARY LINE OF THAT PARTICULAR DOCUMENT RECORDED IN BOOK S-48, PAGE 229, WASHINGTON COUNTY RECORDS, THENCE S 1°15'11" W, 650.60 FEET ALONG THE EAST LINE OF SAID SECTION 13 AND SAID WEST BOUNDARY LINE TO THE SOUTHWEST CORNER OF SAID BOUNDARY; THENCE CONTINUING S 88° 32'22" E, 439.98 FEET ALONG SAID BOUNDARY; THENCE N 77°22'21" E, 111.76 FEET ALONG SAID BOUNDARY; THENCE LEAVING SAID BOUNDARY S 29°50'22" W, 1618.17 FEET; THENCE N 60°09'32" W, 1,783.03 FEET; THENCE N 89°54'23" W, 216.37 FEET; THENCE N 5°39'08" W, 440.64 FEET; THENCE N 49°26'47" W, 208.17 FEET; THENCE N 40°33'13" E, 486.00 FEET TO THE POINT OF A CURVE TO THE RIGHT CHORD BEARS N 57°17'29" E,

AMENDED AND RESTATED DEVELOPMENT LEASE AGREEMENT - DEVL 754 - IVORY SOUTHERN, LLC (CONTINUED)

115.20 FEET WITH A RADIUS OF 200 FEET AND A LENGTH OF 116.85 FEET AND A DELTA OF 33°28'32" TO THE POINT OF A REVERSE CURVE TO THE LEFT, CHORD BEARS N 51°10'16" E, 291.34 FEET WITH A RADIUS OF 375.00 FEET, LENGTH OF 299.21 FEET AND A DELTA OF 45°42'59" TO A POINT ON THE SOUTH 1/16 LINE OF SAID SECTION 13, SAID SOUTH POINT ALSO BEING A DOCUMENT RECORDED IN BOOK 841, PAGE 847; THENCE S 88°45'06" E 274.04 FEET ALONG SAID SOUTH 1/16 LINE AND SAID SOUTH BOUNDARY LINE TO THE POINT OF BEGINNING.

CONTAINING 79.29 ACRES, MORE OR LESS.

TOTAL NUMBER OF ACRES BY COUNTY: 443.76 acres, more or less - Washington County

TOTAL NUMBER OF ACRES BY FUND: 443.76 acres, more or less - School

Upon recommendation of Douglas O. Buchi, the Director approved the amended and restated lease.

ACTIONS CONTAINING FEE WAIVERS

SURFACE

RIGHT OF ENTRY NO. 5340 (LICENSE AGREEMENT) (APPROVAL)

On May 26, 2009, the School and Institutional Trust Lands Administration received an application from Grand County Council, 125 East Center Street, Moab, UT 84532, to occupy the following described trust land located within Grand County to conduct the 4th of July fireworks display:

T26S, R22E, SLB&M
Sec. 6: N½NE¼SE¼ (Within)

As the subject property is already leased, this right of entry is a license agreement between the Trust Lands Administration, LB Moab Land, LLC (the lessee under SULA 702), and the Grand County Council. This right of entry will allow the licensee to enter the lease area from 8:00 a.m. on July 3, 2009, until 5:00 a.m. on July 5, 2009, when the permit will automatically terminate. The fee for this right of entry, in the amount of \$300.00 (representing \$200.00 rental, \$50.00 application, and \$50.00 processing charge), has been waived. Grand County. School Fund. Expiration date: July 5, 2009.

Upon recommendation of Ms. Jeanine Kleinke, the Director approved Right of Entry No. 5340 and the fee waiver in the amount of \$300.00.