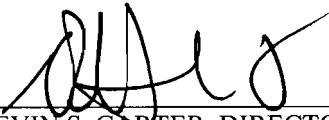


JULY 6, 2009

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

THESE MINUTES INCLUDE MINERAL ACTIONS AS LISTED ON PAGES 1 TO 6; SURFACE ACTIONS AS LISTED ON PAGES 7 TO 19; AND ACTIONS CONTAINING FEE WAIVERS AS LISTED ON PAGE 19.

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, JULY 20, 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

EXPIRATION - MATERIALS PERMIT NO. 306

The following Materials Permit, No. 306, expired on June 14, 2009. The Permittee no longer has any rights relevant to the permit.

PERMITTEE:

James Keogh
P.O. Box 1476
Moab, UT 84532

AFFECTED LANDS:

T25S, R24E, SLB&M.

Sec. 32: Beginning at the northwest corner of said Section 32, thence east 150 feet, thence south 290 feet, thence west 150 feet, thence north 290 feet to the point of beginning.

COUNTY: GRAND

ACRES: 1.00 ±

FUND: SCH

This item was submitted by Mr. Harden for record-keeping purposes only.

EXPIRATION - MATERIALS PERMIT NO. 307

The following Materials Permit, No. 307, expired on May 31, 2009. The Permittee no longer has any rights relevant to the permit.

PERMITTEE:

Bulldog Construction, LLC
670 N. 100 W.
P.O. Box 608
Delta, UT 84624

AFFECTED LANDS:

T16S, R5W, SLB&M.

Sec. 36: Beginning at a point 500 feet north along the west section line from the southwest corner of the above referenced Section 36, thence north 660.0 feet, thence east 660.0 feet, thence south 660.0 feet, thence west 660.0 feet to the point of beginning.

COUNTY: MILLARD

ACRES: 10.0 ±

FUND: SCH

This item was submitted by Mr. Harden for record-keeping purposes only.

EXPIRATION - MATERIALS PERMIT NO. 421

The following Materials Permit, No. 421, expired on June 30, 2009. The Permittee no longer has any rights relevant to the permit.

PERMITTEE:

MESA Rock, LLC.
710 South 15th Street
Grand Junction, CO 81501

AFFECTED LANDS:

Township 21 South, Range 26 East, SLB&M
Sec. 32: SW¹/₄NW¹/₄SW¹/₄

COUNTY: GRAND

ACRES: 10.0 ±

FUND: SCH

This item was submitted by Mr. Harden for record-keeping purposes only.

EXPIRATION - MATERIALS PERMIT NO. 424

The following Materials Permit, No. 424, expired on June 30, 2009. The Permittee no longer has any rights relevant to the permit.

PERMITTEE:

Bill Barrett Corporation
1099 18th Street, Suite 2300
Denver, CO 80202

AFFECTED LANDS:

T12S, R15E, SLB&M.
Sec. 36: ALL

COUNTY: CARBON

ACRES: 640.0 ±

FUND: SCH

This item was submitted by Mr. Harden for record-keeping purposes only.

EXPIRATION - MATERIALS PERMIT NO. 425

The following Materials Permit, No. 425, expired on June 30, 2009. The Permittee no longer has any rights relevant to the permit.

PERMITTEE:

Bill Barrett Corporation
1099 18th Street, Suite 2300
Denver, CO 80202

AFFECTED LANDS:

T12S, R16E, SLB&M.
Sec. 32: ALL

COUNTY: CARBON**ACRES:** 640.0 ±**FUND:** SCH

This item was submitted by Mr. Harden for record-keeping purposes only.

METALLIFEROUS MINERALS LEASE READJUSTMENT AND EXTENSION – ML 48312 (SCH)

Metalliferous Mineral Lease ML 48312 will reach the end of its ten (10) year primary term on June 30, 2009. Under Article II of the lease, it is expressly agreed that at the end of each period of ten (10) years following the effective date of the lease, the State of Utah, as Lessor, shall have the right to readjust the terms and conditions of the lease as may be determined to be in the best interest of the State of Utah as trustee owner of the mineral estate. The lessee, Lithic Resources, LTD, has satisfied the diligent development requirement to allow for lease continuance for an additional ten (10) year lease extension. The lease is readjusted and extended under the following terms:

- The lease is readjusted to conform to the terms and conditions provided for under the Trust Lands Administration's most current Metalliferous Minerals lease form, adopted for use August 2008.
- The lease requires an annual rental of \$1 per acre as provided for under Utah Code 53C-2-405(2)(a).
- As per Article VI, Fourth paragraph of the lease agreement, the lease readjustment requires an annual advanced minimum royalty payment of \$1,836 (three [3] times the annual rental), in addition to the \$1 per acre annual rental in order to maintain the lease beyond the primary term of ten (10) years.
- The lease requires a production royalty of eight percent (8%) for fissionable metalliferous minerals and four percent (4%) for non-fissionable metalliferous minerals. The royalty shall be based on the gross value of the ores produced from the leased lands.
- The lease will continue for an additional ten (10) year term as long as the diligent development requirement is satisfied or the lessee has achieved commercial production of the leased substance from the leased premises. The additional ten (10) year term will **expire on June 30, 2019.**

**METALLIFEROUS MINERALS LEASE READJUSTMENT AND EXTENSION – ML 48312 (SCH)
(CONTINUED)**

The Lessee has agreed to accept the readjusted terms of Metalliferous Minerals Lease ML 48312 and will execute the readjusted lease agreement upon approval of the Director of the School and Institutional Trust Lands Administration.

<u>ML 48312</u>	<u>T11S, R14W, SLB&M.</u>	Juab
N.P.R. (US) Inc.	SEC. 16: LOTS 1(37.00), 2(1.23), 3(13.07), E½,	611.30 Acres
c/o Vaaldiam Resources LTD.	NW¼, E½SW¼ [ALL]	
20 Adelaide Street East, #901		
Toronto, Ontario, Canada M5C 2T6		

Upon recommendation of Mr. Stokes, the Director approved the readjustment and term extension of Metalliferous Minerals Lease ML 48312.

EXPIRATION OF METALLIFEROUS MINERALS LEASE – ML 48293 (SCH)

The following Metalliferous Minerals Lease has reached the end of the ten (10) year primary term without achieving production and without satisfaction of the diligent development requirement as provided for under part Four of Article VI of the lease agreement. Therefore, the lease has expired by its own terms at the end of the ten (10) year primary term on June 30, 2009. The land included under the referenced lease will be offered for lease through the sealed bid competitive lease offering.

<u>ML 48293</u>	<u>T14S, R11W, SLB&M.</u>	Juab
Knotts & Company	SEC. 36: LOTS 1(37.40), 2(27.74), 3(10.23), 4(35.36),	347.89 Acres
P.O. Box 135	5(39.95), 6(2.20), 7(.04), 8(1.82), 9(14.70),	
Salem, Utah 84653	10 (20.08), 11(38.55), E½NE¼, NE¼SE¼	

This item is submitted by Mr. Stokes for record-keeping purposes only.

EXPIRATION OF GEMSTONE/FOSSIL LEASE- ML 44287 (SCH)

The following Gemstone/Fossil Lease has reached the end of the ten (10) year primary term without achieving production and without satisfaction of the diligent development requirement as provided for under part Four of Article VI of the lease agreement. Therefore, the lease has expired on its own terms at the end of the ten (10) year primary term on June 30, 2009. The land included under the referenced lease will be offered for lease by nomination to the sealed bid competitive lease offering.

<u>ML 44287</u>	<u>T17S, R13W, SLB&M.</u>	Millard
J. Conrad Pugh	SEC. 2: SE¼NW¼	40.00 Acres
1690 Cannas Way		
Salt Lake City, UT 84121		

This item is submitted by Mr. Stokes for record-keeping purposes only.

LEASE EXPIRATION AND ISSUANCE OF A ONE YEAR BITUMINOUS - ASPHALTIC SANDS LEASE TO PROVIDE FOR DEVELOPMENT OF THE OIL SANDS RESOURCE

On June 30, 2009, Oil, Gas and Hydrocarbon lease ML 48296 reached the end of its ten (10) year term. ML 48296 is an Oil, Gas and Hydrocarbon Lease that includes bitumen and asphaltic hydrocarbons ("oil sands") as "other hydrocarbon substances" under Section 4(c) of the lease agreement. The current lessee, Enertech Energy, Inc., has been engaged in diligent development of the oil sands resource on the lands encompassed by the referenced lease agreement. To provide for continued development of the oil sands resource on the leased lands, and to facilitate more efficient lease administration under the new Agency rules enacted in 2005, it is in the best interest of the Trust to allow the lessee one additional year to continue its diligent operations, but to substitute the current lease with a Bituminous - Asphaltic Sands Lease which would exclude other hydrocarbon commodities. ML 48296 expired at the end of its ten (10) year term on June 30, 2009, and a Bituminous - Asphaltic Sands replacement lease will be issued on the same lands under the following terms:

- A Bituminous – Asphaltic Sand Lease will be issued on lands encompassed by Oil, Gas and Hydrocarbon Lease ML 48296 for a term of one (1) year, commencing on July 1, 2009, and expiring at midnight on June 30, 2010.
- The lessee must achieve production from the leased lands within the one (1) year term of the lease. If production is achieved within the one year term of the lease, the lease will continue in full force and effect for as long as annual production is maintained.
- The lease will be issued for oil sands resources (bituminous – asphaltic sands) from the surface to all depths on the leasehold.
- The current Bituminous – Asphaltic Sand Lease requires an annual rental of \$1 per acre and an annual advanced minimum royalty of \$10 per acre. Total annual payments are \$11 per acre. The lease will include 1,151.89 acres with total annual rental and advanced minimum royalty payment of \$12,672.
- As provided in the current Bituminous – Asphaltic Sands Lease form, the lessee shall pay a production royalty of 8% of the market price of the first marketable products produced from the leased premises. With sustained production, and commencing on the 11th year anniversary date of the lease, the production royalty will increase at 1% per year to a maximum of 12.5%.

<u>Mineral Lease Application No. 51627</u>	<u>T5S, R21E, SLB&M.</u>	Uintah
Enertech Energy, Inc	SEC 5: LOTS 8(2.53), 9(37.47), 10(1.16),	1151.89 Acres
1901 Avenue of the Stars, Suite 200	11(1.40)	
Los Angeles, California 90067	SEC. 6: LOTS 1(38.04), 2(37.87), 3(37.56), 4(37.09),	
	5(38.64), 6(38.60), S½N½, W½SE¼,	
FUND: SCH	SEC. 8: LOTS 1(41.92), 2(41.89), 5(38.88), 6(38.84),	
	W½NE¼, S½NW¼, SW¼	
	SEC. 18: NE¼	

Upon recommendation of Mr. Stokes and Ms. Garrison, the Director approved the issuance of a Bituminous – Asphaltic Sands Lease, ML 51627, with a one year term encompassing the above referenced land.

CORRECTION OF DIRECTOR'S MINUTES OF JULY 17, 2002 – ML 3323 – OIL, GAS, AND HYDROCARBON

The Director, on July 17, 2002, approved the interest assignment of 1.72% interest in and to be above-numbered lease to The H. J. Stevens, Jr. Trust #8136 by Marjorie Stevens, Executrix for Horace J. Stevens, Jr. No override, but subject to 5% overriding royalty previously reserved. The assignment should have been listed as 1.72% interest to *The Chicago Trust Company of California as successor Trustee* to the H. J. Stevens, Jr. Trust #8136 by Marjorie Stevens, Executrix for Horace J. Stevens, Jr. No override, but subject to 5% overriding royalty previously reserved.

Upon recommendation of Ms. Garrison, the Director approved the above-listed correction.

CORRECTION OF DIRECTOR'S MINUTES OF JUNE 29, 2009 – ML 41535 (USH)

The Director, on June 29, 2009, approved the assignment of 50% interest in record title and operating rights to Harvest (US) Holdings, Inc. by Branta Exploration & Production LLC. No override. It has been discovered that this lease number was listed in error. The correct number is ML 51435 (USH).

Upon recommendation of Ms. Garrison, the Director approved the above-listed correction.

APPROVAL OF COLLATERAL ASSIGNMENTS OF OIL SHALE MINERAL LEASES - RED LEAF RESOURCES, INC. (SCH)

Red Leaf Resources, Inc., 6985 Union Park Center, Suite 275, Cottonwood Heights, UT 84047, Lessee, has requested the Agency's permission to collaterally assign each of the following-numbered Oil Shale Mineral Leases to Cardinal Energy Holdings, LLC, 1879 East Longview Drive, Salt Lake City, UT 84124:

ML 43374, ML 48570, ML 48804, ML 48807, ML 48808, ML 48812, ML 49237-A, ML 49924, ML 49949, ML 49953, ML 50149, ML 50150, ML 50151, ML 50291, ML 50292, ML 50293, ML 50294, and ML 50295.

The leases are currently in good standing with the Trust Lands Administration. The applicant has submitted payment of \$900 to cover the \$50 assignment fee per lease. Upon approval of the assignments, the above numbered leases should be marked in the Agency's Business System to indicate that Cardinal Energy Holdings, LLC ("Cardinal") holds a collateral interest and should be notified in the event of any default by the Lessee. In connection with the collateral assignments, the Agency has executed a Certificate, Consent, and Agreement specifying the manner of notice to Cardinal, and giving Cardinal certain rights to cure, etc. This Certificate should be placed in each lease file and consulted in event of default.

Upon recommendation of Mr. Blake, the Director approved the above-listed collateral assignments.

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</u>	<u>Fund</u>
GP 20140-09	3,962.96	370.00	Juab	School
GP 20144-09	640.00	32.00	Millard	School
GP 20151-09	5,862.20	448.00	Beaver	School
GP 20157-09	2,040.00	82.00	Washington	School
GP 20222-09	800.00	45.00	Emery	School
GP 20241-09	3,999.67	225.00	Grand	School
GP 20288-09	5,662.88	146.00	Iron	School
GP 20329-09	8,414.38	538.00	Uintah	School
GP 20412-09	520.00	22.00	Garfield	School
GP 22441-09	325.25	23.00	Garfield	School
GP 22486-09	5,409.97	534.00	Uintah	School
GP 22500-09	4,073.19	125.00	Millard	School
GP 22507-09	640.00	27.00	Iron	School
GP 22892-A09	2,419.73	32.00	Millard	School
GP 23163-09	11,980.30	337.00	Tooele	School

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

GRAZING PERMIT NO 21878-02 (CANCELLATION)

T. Laren Provost, P.O. Box 173, Heber City, UT 84032, has requested that the above grazing permit be canceled. The acreage contained within this permit is being added to the renewal permit GP 20140-09, also in the name of T. Laren Provost. School Fund. Juab County.

Upon recommendation of Mr. Scott Chamberlain, the Director approved the cancellation of GP 21878-02.

GRAZING PERMIT NO. 33-02 (AMENDMENT - REDUCTION OF AUMS)

Gilbert T. Yardley, P.O. Box 288, Beaver, UT 84713, has requested that the AUMs permitted under GP 33-02 be reduced to actual use levels under proper grazing use. This grazing permit is located on the Hatch Block and is permitted at 300 AUMs. However, on normal forage production years, the grazing permit only produces 250 AUMs. This equates to approximately eight acres per AUM. GP 33-02 will now contain 250 AUMs. The acreage will remain the same. The \$50.00 amendment fee has been submitted. Garfield County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the reduction of AUMs for GP 33-02.

GRAZING PERMIT NO. 11-F08 (NON-USE)

Donna Lemmon, P.O. Box 1183, Huntington, UT 84528, has requested 100% non-use, due to personal convenience, on GP 11-F08. Pursuant to the State/Federal Land Exchange of 1998, P.L. 105-335, the federal permittee has an option to take temporary non-use up to a five year maximum under federal rules. This permit will now have four years available for temporary non-use. **This year's bill for the 2009-2010 grazing season should be canceled.** The \$20.00 non-use fee has been paid. Emery County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved non-use for GP 11-F08.

GRAZING PERMIT NO. 23250 (NON-USE)

Wintch & Company Limited, 466 S. Main, Manti, UT 84642, has requested 100% non-use (917 AUMs), due to lack of forage from competing wild horse grazing, on GP 23250 during the 2009-2010 grazing season. This grazing permit is located on the Milford Block with no BLM management involved. The wild horse grazing has been discussed with the BLM, and they are gathering wild horses in July, but the forage has already been removed for the summer grazing season. Trust Lands' staff has verified this lack of forage. **The 2009-2010 grazing bill should be canceled.** The \$20.00 non-use fee and \$91.70 weed have been paid. Beaver County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the non-use for GP 23250.

RIGHTS OF ENTRY**RIGHT OF ENTRY NO. 5261 (CANCELLATION)**

Right of Entry No. 5261, in the name of Newfield Production Company, Route 3, Box 3630, Roosevelt, UT 84052, for a man camp on an existing well site, was approved on the Director's Minutes of November 24, 2008. The permittee has informed the Trust Lands Administration that they are not able to pursue the venture in conjunction with this man camp, and are canceling this contract. No fees were paid in connection with this permit. Uintah County. School Fund.

Upon recommendation of Mr. Kurt Higgins, the Director approved the cancellation of ROE 4261.

EASEMENTS**EASEMENT NO. 1130 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Enduring Resources, LLC
475 17th Street, Suite 1500
Denver, Colorado 80202

LEGAL DESCRIPTION:

Township 9 South, Range 25 East, SLB&M
Section 8: Lot 1 (within)
Section 17: Lots 5, 7, NE $\frac{1}{4}$ SE $\frac{1}{4}$ (within)

A 15 foot wide easement located in Lot 1 of Section 8, and Lots 5 & 7 and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T9S, R25E, SLB&M, the easement being 7.5 feet on each side of its centerline. Together with a temporary easement for construction purposes over a strip of land 45 feet wide, being 22.5 feet on each side of said centerline. Said centerline is described as follows:

Beginning at a point on the west line of the SW $\frac{1}{4}$ of Section 8, T9S, R25E, SLB&M, which bears N 00°08'05" W 928.03 feet from the southwest corner of said Section 8; thence S 61°56'01" E 123.85 feet; thence S 79°14'05" E 280.01 feet; thence S 51°00'27" E 201.15 feet; thence S 30°17'24" E 507.52 feet; thence S 45°59'17" E 263.68 feet; thence S 52°51'30" E 111.66 feet to a point on the north line of the NW $\frac{1}{4}$ of Section 17, T9S, R25E, SLB&M, which bears N 89°53'33" E 1073.16 feet from the northwest corner of said Section 17; thence S 52°51'30" E 139.50 feet; thence S 51°08'57" E 319.92 feet; thence S 56°09'07" E 20.56 feet to a point on the north line of Mineral Survey No. 5185 (Plumed Knight), which bears S 75°40'30" W 1209.58 feet from the north $\frac{1}{4}$ corner of said Section 17. Also, beginning at a point on the south line of Mineral Survey No. 5185 (Davy Crocket) which bears S 28°50'00" E 1952.29 feet from said north $\frac{1}{4}$ corner of Section 17; thence S 24°36'25" E 82.49 feet; thence S 21°53'47" E 221.43 feet; thence S 56°12'47" E 307.01 feet; thence S 63°37'02" E 307.77 feet; thence S 71°32'18" E 340.72 feet; thence S 78°55'29" E 274.27 feet; thence S 54°35'43" E 271.39 feet; thence S 44°12'10" E 247.77 feet to a point in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 17, which bears S 42°40'29" E 3799.76 feet from the said north $\frac{1}{4}$ corner; thence S 53°48'35" E 84.95 feet to a point on the east line of the SE $\frac{1}{4}$ of said Section 17. Basis of bearings is the north line of the NW $\frac{1}{4}$ of said Section 17 which is taken from global positioning satellite observations to bear N 89°53'33" E. The 15 foot easement contains 1.41 acres more or less. The 45 foot temporary easement contains 4.24 acres more or less.

COUNTY: Uintah**ACRES:** 4.24**FUND:** School**PROPOSED ACTION:**

The applicant has requested a non-exclusive easement to construct, operate, repair, and maintain a surface 6-inch diameter natural gas pipeline located within Sections 8 and 17, T9S, R25E, in Uintah County. The pipeline will be used to service the Bonanza 9-25-42-6 Well, located on adjacent federal lands, and will be installed alongside an existing road. The proposed easement corridor is 2,617.78 feet long and 15 feet wide, containing 4.24 acres. The requested term of the easement is 30 years.

RELEVANT FACTUAL BACKGROUND:

The subject "Application to Purchase an Easement" was received on August 23, 2006. It was submitted for the Agency review on August 31, 2006, and was accepted by the Director on September 20, 2006.

The proposed easement was sent to the Resource Development Coordinating Committee ("RDCC"), the Uintah Basin Association of Governments, and the Uintah County Commission for review on August 31, 2006. The following comments were received from the RDCC:

EASEMENT NO. 1130 (APPROVAL) (CONTINUED)**Department of Environmental Quality/Division of Air Quality:**

"The proposed construction and operation of a six-inch natural gas pipeline to service the Bonanza 9-25-42-6 Well, in Uintah County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board if any compressor or pump stations are constructed at the site. If a permit is required, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 North 1950 West, Salt Lake City, Utah, 84116, for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. The guidelines for preparing an NOI are available online at <http://www.airquality.utah.gov/Permits/FORMS/NOIGuide8.pdf>.

"The proposed project is also subject Utah Air Quality Rule R307-205-5, Fugitive Dust, due to the fugitive dust that is generated during the excavating phases of the project. These rules apply to construction activities that disturb an area greater than 1/4 acre in size. A permit, known as an Approval Order, is not required from the Executive Secretary of the Air Quality Board, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover, or windbreaks. A copy of the rules may be found at www.rules.utah.gov/publicat/code/r307/r307.htm."

Utah Geological Survey:

"Although there are no paleontological localities recorded in our office for this project area, the Eocene Uinta Formation that is exposed here has the potential for yielding significant vertebrate fossil localities. The office of the State Paleontologist, therefore, recommends that a paleontological survey be conducted for this project."

The following comment was received from the Uintah County Commission:

"Uintah County supports Enduring Resources, LLC to construct, operate, repair, and maintain a six inch diameter surface natural gas pipeline. The pipeline must be placed on the outside edge of the berm on the segment of existing County road."

The project area has been surveyed for cultural resources by Montgomery Archaeological Consultants (U-06-MQ-1309b). One significant site (42Un5468) is located within the area of potential effects. The site will be avoided by all construction activities.

The proposed easement traverses lands with valuable oil shale potential and could impact the ability to extract the oil shale resource. In order to mitigate this potential impact, the Minerals Group has requested that the easement contain a provision allowing for the relocation of the pipeline.

EVALUATION OF FACTS:

The comments submitted through the RDCC have been evaluated and the Agency's response was as follows:

Utah Division of Air Quality:

"The applicant has been informed of the comments submitted by the Utah Division of Air Quality. Furthermore, our easement agreement requires that the Grantee comply with the provisions of all Federal, State, County, and Municipal laws, ordinances, and regulations which are applicable to the subject tract and operations covered by the easement."

EASEMENT NO. 1130 (APPROVAL) (CONTINUED)**Utah Geological Survey:**

"A paleontological survey of the proposed easement corridor has been conducted by Intermountain Paleo-Consulting (Report #06-361). No significant paleontological resources were discovered along the course of the proposed easement. Therefore, no paleontological restrictions will be placed upon the development of the project."

The applicant has been notified of the comments received from the RDCC and Uintah County as well as the Agency's response.

The Agency's archaeology staff has reviewed the cultural resource documents submitted in support of the proposed easement and has granted cultural resource clearance for the project with a finding of "No Historic Properties Affected," provided that the significant site is avoided by all construction activities.

The Agency's GIS staff has reviewed and approved the legal description for this easement.

In order to mitigate the impact of the pipeline on potential future oil shale extraction from the lands underlying the easement, the easement document will contain a relocation clause.

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 for 30 years beginning July 1, 2009, and expiring June 30, 2039. The application fee of \$600.00 and the easement rental assessment of \$2,985.93 have been submitted. Pursuant to R850-40-1800, an administrative fee will be assessed every three years throughout the term of the easement, with the first payment being due January 1, 2012.

EASEMENT NO. 1258 (APPROVAL)**APPLICANT'S NAME AND ADDRESS:**

Enduring Resources, LLC
475 17th Street, Suite 1500
Denver, Colorado 80202

LEGAL DESCRIPTION:

Township 12 South, Range 22 East, SLB&M
Section 2: Lots 2, 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ (within)

A 20 foot wide easement, 10 feet on each side of the following described centerline:

Beginning at a point in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, T12S, R22E, SLB&M, which bears N 74°03'52" W 2252.11 feet from the east $\frac{1}{4}$ corner of said Section 2; thence S 86°50'55" W 218.81 feet; thence S 86°06'38" W 240.71 feet; thence N 79°09'47" W 375.30 feet; thence N 50°54'29" W 332.02 feet; thence N 85°11'23" W 113.38 feet; thence N 84°04'57" W 73.06 feet; thence N 78°35'22" W 29.01 feet; thence N 62°41'04" W 52.92 feet; thence N 31°38'12" W 54.55 feet; thence N 13°55'59" W 56.90 feet; thence N 39°17'38" E 46.92 feet; thence N 57°49'40" E 69.72 feet; thence N 83°08'38" E 106.18 feet; thence N 88°56'49" E 76.12 feet; thence S 70°57'52" E 214.80 feet; thence N 55°51'43" E 130.21 feet; thence N 23°35'48" E 170.81 feet; thence N 11°16'40" E 113.06 feet; thence N 43°35'04" E 67.69 feet; thence N 85°40'13" E 199.83 feet; thence S 61°38'17" E 235.50 feet; thence N 83°02'26" E 171.24 feet; thence N 48°48'56" E 207.97 feet; thence N 22°58'44" E 150.22 feet to a point in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 2, which bears S 30°40'42" E 1187.49 feet from the north $\frac{1}{4}$ corner of said Section 2.

EASEMENT NO. 1258 (APPROVAL) (CONTINUED)

The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a GPS observation. Contains 1.61 acres more or less.

COUNTY: Uintah

ACRES: 1.61

FUND: School

PROPOSED ACTION:

The applicant has requested a non-exclusive easement to construct, operate, repair, and maintain a surface 6-inch diameter natural gas pipeline located within Section 2, T12S, R22E, SLB&M, in Uintah County. The pipeline will be used to service the existing Buck Camp 12-22-31-2 Well, which is located on trust lands within Section 2. The applicant shares an operating interest in the mineral lease for this well and desires to obtain this easement for an additional pipeline to the well site. The proposed pipeline follows an existing access road. The proposed easement corridor is 3,506.93 feet long and 20 feet wide, containing 1.61 acres. The requested term of the easement is 30 years.

RELEVANT FACTUAL BACKGROUND:

The subject "Application to Purchase an Easement" was received on March 14, 2007. It was submitted for the Agency review on March 16, 2007, and was accepted by the Director on April 2, 2007.

The proposed easement was sent to the Resource Development Coordinating Committee ("RDCC"), the Uintah Basin Association of Governments, and the Uintah County Commission for review on March 16, 2007. The following comments were received from the RDCC:

Department of Environmental Quality/Division of Air Quality:

"Enduring Resources' proposal may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board if any compressor or pump stations are constructed at the site. If a permit is required, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 North 1950 West, Salt Lake City, Utah, 84116, for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. The guidelines for preparing an NOI are available online at <http://www.airquality.utah.gov/Permits/FORMS/NOIGuide8.pdf>

"In addition, the project is subject to R307-205-5, Fugitive Dust, since the project could have a short-term impact on air quality due to the fugitive dust that could be generated during the excavation and construction phases of the project. An Approval Order is not required solely for the control of fugitive dust, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover, or windbreaks. A copy of the rules may be found at: www.rules.utah.gov/public/code/r307/r307.htm."

Utah Geological Survey:

"Although there are no paleontological localities recorded in our files for this project area, the Eocene Uinta Formation exposed here has the potential for yielding significant vertebrate fossil localities. The office of the State Paleontologist, therefore, recommends that a paleontological survey be conducted for this project and its easements by a paleontologist with a valid permit."

The following comment was received from the Uintah County Commission:

"Thank you for the opportunity to comment on the construction, operation, repair, and maintenance by Enduring Resources, LLC of a 6-inch diameter surface natural gas pipeline located within T12S, R22E, Sec. 2, in Uintah County. We support this proposed action and are supportive of oil and gas production in Uintah County. At this time we have no further comment, but reserve the right to comment at a later date if warranted."

EASEMENT NO. 1258 (APPROVAL) (CONTINUED)

The project area has been surveyed for cultural resources by Sagebrush Consultants (U-05-SJ-0066b,s & U-05-SJ-0253s). No significant cultural resources were found within the area of potential effect.

The proposed easement traverses lands with valuable oil shale potential and could impact the ability to extract the oil shale resource. In order to mitigate this potential impact, the Minerals Group has requested that the easement contain a provision allowing for the relocation of the pipeline.

EVALUATION OF FACTS:

The comments submitted through the RDCC have been evaluated and the Agency's response was as follows:

Utah Division of Air Quality:

"The applicant has been informed of the comments submitted by the Utah Division of Air Quality. Furthermore, our easement agreement requires that the Grantee comply with the provisions of all Federal, State, County, and Municipal laws, ordinances, and regulations which are applicable to the subject tract and operations covered by the easement."

Utah Geological Survey:

"A paleontological survey of the proposed easement corridor has been conducted by Intermountain Paleo-Consulting (Report #08-327). No significant paleontological resources were discovered along the course of the proposed easement. Therefore, no paleontological restrictions will be placed upon the development of the project."

The applicant has been notified of the comments received from the RDCC and Uintah County as well as the Agency's response.

The Agency's archaeology staff has reviewed the cultural resource documents submitted in support of the proposed easement and has granted cultural resource clearance for the project with a finding of "No Historic Properties Affected."

The Agency's GIS staff has reviewed and approved the legal description for this easement.

In order to mitigate the impact of the pipeline on potential future oil shale extraction from the lands underlying the easement, the easement document will contain a relocation clause.

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 for 30 years beginning July 1, 2009, and expiring June 30, 2039. The application fee of \$600.00 and the easement rental assessment of \$2,550.49 have been submitted. Pursuant to R850-40-1800, an administrative fee will be assessed every three years throughout the term of the easement, with the first payment being due January 1, 2012.

EASEMENT NO. 1498 (APPROVAL)**APPLICANT'S NAME AND ADDRESS:**

Enduring Resources, LLC
 475 17th Street, Suite 1500
 Denver, Colorado 80202

LEGAL DESCRIPTION:

Township 11 South, Range 23 East, SLB&M
 Section 32: S½S½, NW¼SW¼ (within)

A 20 foot wide easement, being 10 feet on each side of the following described centerline:

Beginning at a point on the west line of the NW¼SW¼ of Section 32, T11S, R23E, SLB&M, which bears S 00°03'43" W 1257.00 feet from the west ¼ corner of said Section 32; thence S 85°58'25" E 117.43 feet; thence S 69°41'43" E 147.96 feet; thence S 56°55'38" E 323.97 feet; thence S 62°32'55" E 119.89 feet; thence N 87°46'25" E 235.43 feet; thence S 80°15'51" E 111.94 feet; thence S 70°39'31" E 113.86 feet; thence S 80°14'17" E 248.46 feet; thence N 79°33'11" E 61.43 feet; thence N 71°55'23" E 104.58 feet; thence N 89°08'15" E 139.79 feet; thence N 75°38'22" E 369.15 feet; thence N 68°54'19" E 144.02 feet; thence N 77°16'31" E 93.94 feet; thence S 89°29'45" E 94.10 feet; thence S 73°32'15" E 106.93 feet; thence N 87°25'17" E 84.49 feet; thence N 60°48'16" E 119.00 feet; thence N 76°20'53" E 90.02 feet; thence N 87°10'35" E 111.36 feet; thence S 72°07'38" E 67.18 feet; thence S 53°49'32" E 92.44 feet; thence S 59°44'44" E 99.76 feet; thence S 87°36'53" E 85.97 feet; thence N 74°58'49" E 74.48 feet; thence S 82°19'26" E 89.04 feet; thence S 62°27'03" E 91.38 feet; thence S 76°20'11" E 86.42 feet; thence N 56°07'14" E 181.46 feet; thence N 86°46'33" E 81.77 feet; thence S 68°38'20" E 148.10 feet; thence S 39°39'24" E 190.61 feet; thence S 59°11'35" E 58.85 feet; thence S 71°32'52" E 53.41 feet; thence S 45°11'36" E 67.08 feet; thence S 45°04'54" E 46.61 feet; thence S 63°30'04" E 99.10 feet; thence S 63°29'06" E 97.35 feet; thence S 44°19'05" E 85.62 feet; thence S 49°50'04" E 151.63 feet; thence S 54°57'43" E 190.29 feet; thence S 61°19'02" E 80.72 feet; thence S 68°00'34" E 236.04 feet; thence S 74°42'10" E 152.10 feet; thence S 81°32'05" E 51.60 feet; thence N 89°17'29" E 115.40 feet; thence N 74°12'13" E 68.77 feet to a point on the east line of the SE¼SE¼ of said Section 32, which bears N 00°05'57" E 358.00 feet from the southeast corner of said Section 32. The side lines of said described easement being shortened or elongated to meet the Grantor's property lines. Basis of bearings is a G.P.S. observation. Contains 2.654 acres, more or less.

COUNTY: Uintah

ACRES: 2.654

FUND: School

PROPOSED ACTION:

The applicant has requested a non-exclusive easement to construct, operate, repair, and maintain a surface 6-inch diameter natural gas pipeline located within Section 32, T11S, R23E, in Uintah County. The proposed pipeline will service the Federal Asphalt Wash 11-23-34-30 Well and will be located along the north side of Uintah County Road No. 4120. The proposed easement corridor is 5,780.93 feet long and 20 feet wide, containing 2.66 acres. The requested term of the easement is 30 years.

RELEVANT FACTUAL BACKGROUND:

The subject "Application to Purchase an Easement" was received on May 5, 2009. It was submitted for the Agency review on May 12, 2009, and was accepted by the Director on May 26, 2009.

The proposed easement was sent to the Resource Development Coordinating Committee ("RDCC"), the Uintah Basin Association of Governments, and the Uintah County Commission for review on May 12, 2009. The following comments were received from the RDCC:

EASEMENT NO. 1498 (APPROVAL) (CONTINUED)**Department of Environmental Quality/Division of Air Quality:**

"The proposed construction and operation of a 6-inch surface natural gas pipeline to service the Federal Asphalt Wash 11-23-34-30 Well in Uintah County may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board if any compressor or pump stations are constructed at the site. If a permit is required, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116, for review according to R307-401: Permit: Notice of Intent and Approval Order, of the Utah Air Quality Rules. The guidelines for preparing a NOI are available online at: <http://www.airquality.utah.gov/Permits/FORMS/NOIGuide8.pdf>.

"In addition, the project is subject to R307-205-5, Fugitive Dust, since the project could have a short-term impact on air quality due to the fugitive dust that could be generated during the excavation and construction phases of the project. An Approval Order is not required solely for the control of fugitive dust, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover, or windbreaks. A copy of the rules may be found at: www.rules.utah.gov/publicat/code/r307/r307.htm."

Utah Geological Survey:

"Although there are no paleontological localities recorded in our files for this project area, the Eocene Uinta Formation that is exposed here has the potential for yielding significant vertebrate fossil localities. The office of the State Paleontologist, therefore, recommends that a paleontological survey be conducted for this project and its easements by a paleontologist with a valid permit."

The following comment was received from the Uintah County Commission:

"Thank you for the opportunity to comment on the construction, operation, repair, and maintenance by Enduring Resources, LLC of a 6-inch diameter surface natural gas pipeline located in T11S, R23E, Sec. 32: S½S½, NW¼SW¼ (within) in Uintah County. The proposed pipeline will service the Federal Asphalt Wash 11-23-34-40 Well and be located along the north side of Uintah County Bitter Creek Road #4120. The proposed easement corridor is 5,780.93 feet long and 20 feet wide, containing 2.66 acres.

"It is our understanding that the pipeline will be placed outside the county's road rights-of-way. The document fails to mention the location of the tie-in point and name of the pipeline to which the proposed pipeline will be connected.

"Uintah County supports this action, keeping ground disturbance, increase in traffic, equipment, dust, and noise emissions during construction at a minimum.

"We ask that Enduring Resources, LLC contact Uintah County's Planning & Zoning Department for the necessary county permits and the Uintah County Road Department for permits and regulations when crossing county roads.

"We have no further comments at this time, but reserve the right to comment at a later date if warranted."

The project area has been surveyed for cultural resources by Montgomery Archaeological Consultants (U-09-MQ-0325s).

EASEMENT NO. 1498 (APPROVAL) (CONTINUED)

The proposed easement traverses lands with valuable oil shale potential and could impact the ability to extract the oil shale resource. In order to mitigate this potential impact, the Minerals Group has requested that the easement contain a provision allowing for the relocation of the pipeline.

EVALUATION OF FACTS:

The comments submitted through the RDCC have been evaluated and the Agency's response was as follows:

Utah Division of Air Quality:

"The applicant has been informed of the comments submitted by the Utah Division of Air Quality. Furthermore, our easement agreement requires that the Grantee comply with the provisions of all Federal, State, County, and Municipal laws, ordinances, and regulations which are applicable to the subject tract and operations covered by the easement."

Utah Geological Survey:

"A paleontological survey of the proposed easement corridor has been conducted by Intermountain Paleo-Consulting (Report #09-106). No significant paleontological resources were discovered along the course of the proposed easement. Therefore, no paleontological restrictions will be placed upon the development of the project."

The applicant has been notified of the comments received from the RDCC and Uintah County as well as the Agency's response.

The Agency's archaeology staff has reviewed the cultural resource documents submitted in support of the proposed easement and has granted cultural resource clearance for the project with a finding of "No Historic Properties."

The Agency's GIS staff has reviewed and approved the legal description for this easement.

In order to mitigate the impact of the pipeline on potential future oil shale extraction from the lands underlying the easement, the easement document will contain a relocation clause.

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 for 30 years beginning July 1, 2009, and expiring June 30, 2039. The application fee of \$750.00 and the easement rental assessment of \$6,656.83 have been submitted. Pursuant to R850-40-1800, an administrative fee will be assessed every three years throughout the term of the easement, with the first payment being due January 1, 2012.

RIGHT OF WAY NO. 1320 (TRANSFER OF EASEMENT TO PRIVATE LANDOWNER)

GRANTEE'S NAME AND ADDRESS:

Bingham Gas & Oil Company, Inc.
P.O. Box 218
Midvale, Utah 84047

LEGAL DESCRIPTION:

Township 1 South, Range 7 West, SLB&M
Section 8: S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ (within)

An easement for the construction and maintenance of a road and sewer line across the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 1 South, Range 7 West, Salt Lake Meridian in Tooele County, State of Utah, to wit:

Beginning at a point 10 feet south of the northeast corner of the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, thence S 74° W 250 feet; thence S 90° W 420 feet; said right-of-way being within 15 feet on each side of the centerline, Section 8, Township 1 South, Range 7 West, Salt Lake Meridian. Containing 0.23 acres more or less.

COUNTY: Tooele

ACRES: 0.23

FUND: School

On May 3, 2002, the Agency sold property underlying Right-of-Way No. 1320, as documented in the Director's Minutes dated May 8, 2002. The property was sold subject to the right-of-way. As there is no other property included in the right-of-way, records should be noted to show that this right-of-way has been transferred to the private landowner.

This item was submitted by Mr. Chris Fausett for record-keeping purposes.

SPECIAL USE LEASE AGREEMENTS

SPECIAL USE LEASE AGREEMENT NO. 1422 (FIVE-YEAR REVIEW)

SULA 1422 is an industrial lease issued to Gasco Energy, Inc., 8 Inverness Drive East, Ste 100, Englewood, CO 80112-5609. Uintah County. School Fund.

1. **ANNUAL BASE RENTAL:**

The five-year review date for this lease is June 1, 2009. The subject property is used for the purpose of a gas compressor facility. Based on an analysis of the lease rental pursuant to Board policy, it has been determined that an appraisal is not warranted. Therefore, it is recommended that the annual rental be increased from \$600.00 to \$800.00 per year, effective June 1, 2009. A certified notice of the rental increase was sent to the lessee on June 30, 2009.

New Annual Base Rental Amount: \$800.00

Acres in Lease: 2.07

Rental per Acre: \$386.47

2. **DUE DILIGENCE AND PROPER USE:**

The development allowed by this lease has occurred. It is recommended that the lease be kept in force. The leased premises are being used in accordance with the lease agreement.

3. **ADEQUATE BOND COVERAGE:**

A bond has been provided for this lease.

SPECIAL USE LEASE AGREEMENT NO. 1422 (FIVE-YEAR REVIEW) (CONTINUED)

4. ESTABLISHMENT OF WATER RIGHTS:

There are no Agency-owned water rights associated with this lease.

5. POLLUTION AND SANITATION REGULATIONS:

The Trust Lands Administration is unaware of any violations of valid sanitation and pollution regulations. There is no evidence of underground storage tanks on the leased premises.

6. NEXT FIVE-YEAR REVIEW DATE:

The next assessment will be due on June 1, 2014.

Upon recommendation of Mr. Kurt Higgins, the Director approved the five-year review for Special Use Lease Agreement No. 1422.

SPECIAL USE LEASE AGREEMENT NO. 1255 (RECLAMATION BOND)

Pursuant to Paragraph 14 of the lease agreement, Witel Communications, LLC, P.O. Box 1599, Broomfield, CO 80038, has submitted a cash reclamation bond in the amount of \$5,000.00, which will remain in full force and effect until released by the Trust Lands Administration. Tooele County. School Fund.

Upon recommendation of Mr. Gary Bagley, the Director accepted the bond submitted for SULA 1255.

SPECIAL USE LEASE AGREEMENT NO. 1256 (RECLAMATION BOND)

Pursuant to Paragraph 14 of the lease agreement, Witel Communications, LLC, P.O. Box 1599, Broomfield, CO 80038, has submitted a cash reclamation bond in the amount of \$5,000.00, which will remain in full force and effect until released by the Trust Lands Administration. Tooele County. School Fund.

Upon recommendation of Mr. Gary Bagley, the Director accepted the bond submitted for SULA 1256.

SPECIAL USE LEASE AGREEMENT NO. 1257 (RECLAMATION BOND)

Pursuant to Paragraph 14 of the lease agreement, Witel Communications, LLC, P.O. Box 1599, Broomfield, CO 80038, has submitted a cash reclamation bond in the amount of \$5,000.00, which will remain in full force and effect until released by the Trust Lands Administration. Tooele County. School Fund.

Upon recommendation of Mr. Gary Bagley, the Director accepted the bond submitted for SULA 1257.

SPECIAL USE LEASE AGREEMENT NO. 1263 (RECLAMATION BOND)

Pursuant to Paragraph 14 of the lease agreement, Level 3 Communications, LLC, P.O. Box 1599, Broomfield, CO 80038, has submitted a cash reclamation bond in the amount of \$5,000.00, which will remain in full force and effect until released by the Trust Lands Administration. Tooele County. School Fund.

Upon recommendation of Mr. Gary Bagley, the Director accepted the bond submitted for SULA 1263.

SPECIAL USE LEASE AGREEMENT NO. 1412 (RECLAMATION BOND)

Pursuant to Paragraph 14 of the lease agreement, Emery Telcom-Wireless, Inc., 455 East Highway 29, P.O. Box 629, Orangeville, UT 84537, has submitted a cash reclamation bond in the amount of \$5,000.00, which will remain in full force and effect until released by the Trust Lands Administration. Tooele County. School Fund.

Upon recommendation of Mr. Gary Bagley, the Director accepted the bond submitted for SULA 1412.

TIMBER SALES

TIMBER SALE NO. 817 (AMENDMENT OF CONTRACT EXPIRATION DATE)

Thompson Logging, P.O. Box 363, Kamas, Utah 84036, has requested that the expiration date of TA 817 (Phil Pico North Slope) be amended from October 31, 2008, to October 31, 2010. Greater volumes than expected and a depressed market for logs are the reasons for the extension. The \$250.00 amendment fee for the contract extension has been submitted. Daggett County. School and Miner's Hospital Funds.

Upon recommendation of Mr. Cary Zielinsky, Contract Forester, and Mr. Richard Wilcox, the Director approved the amendment of the contract expiration date for TA 817.

ACTIONS CONTAINING FEE WAIVERS

NONE