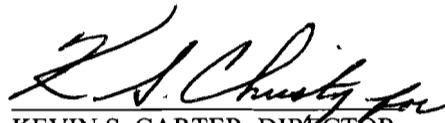


AUGUST 10, 2009

THE DIRECTOR OF THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION TOOK FORMAL ACTION ON AUGUST 10, 2009, IN THE TRUST LANDS ADMINISTRATION OFFICE, 675 EAST 500 SOUTH, SUITE 500, SALT LAKE CITY, UTAH 84102-2818, ON THE MINERAL, SURFACE, DEVELOPMENT, FEE WAIVER, AND TRUST ACCOUNTING BUSINESS MATTERS AS INDICATED AND WHICH BECOME EFFECTIVE AT 6:00 P.M. ON AUGUST 10, 2009.

THESE MINUTES INCLUDE MINERAL ACTIONS AS LISTED ON PAGES 1 TO 2; SURFACE ACTIONS AS LISTED ON PAGES 2 TO 11; DEVELOPMENT ACTIONS AS LISTED ON PAGES 11 TO 12; ACTIONS CONTAINING FEE WAIVERS AS LISTED ON PAGE 13; AND TRUST ACCOUNTING ACTIONS AS LISTED ON PAGE 13.

THESE MINUTES ARE DEEMED THE FINAL AGENCY ACTION CONCERNING THESE MATTERS AND MAY BE 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, AUGUST 24, 2009. APPEALS NOT FILED BY THAT TIME WILL NOT BE ACCEPTED AND THE MATTERS WILL BE CONSIDERED UNAPPEALABLE.


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


LESLIE M. WARNER, RECORDS OFFICER

ARCHIVES APPROVAL NO. 7990209

MINERAL ACTIONS

AMENDMENT TO MINERAL LEASE ML 50766 (GEOTHERMAL) – LIMITATIONS ON SURFACE USE

ML 50766 is a geothermal lease issued to Intermountain Renewable Power, LLC, 5152 North Edgewood Drive, Suite 375, Provo, Utah 84604 (“Intermountain”). Portions of ML 50766 conflict with surface lands being leased pursuant to SULA 1603 to EV Solar 1, LLC (“EV Solar”). EV Solar expressed concern that geothermal development of the site could eliminate the utility of the site for a utility-scale photovoltaic solar facility due to potential interference with the densely-spaced nature of such facilities. Intermountain has agreed to limit its use of those portions of the surface estate of ML 50766 that overlap with SULA 1603 (the “Overlap Parcels”, as described below); provided, that such limitations on occupancy will terminate on the expiration of SULA 1603 or the removal of Overlap Parcels from SULA 1603. Parcels within ML 50766 that do not overlap with SULA 1603 are unaffected by the amendment, except that Intermountain has agreed to exercise reasonable care to avoid disturbance or damage to surface facilities located on the Solar Lease from its subsurface operations and surface and subsurface operations on lands adjacent to the Overlap Parcels.

The Overlap Parcels are described as follows:

Township 35 South, Range 15 West, SLB&M.

- Section 14: SW¼
- Section 15: S½
- Section 22: N½, W½SW¼, W½E½SW¼
- Section 23: NW¼

The amendment to ML 50766 will be documented in an agreement to be approved by the legal department.

Upon recommendation of Mr. Faddies, the Director approved the amendment for ML 50766.

METALLIFEROUS MINERAL LEASE APPROVAL – ML 51629

Upon recommendation of Mr. Stokes, the Director approved the Metalliferous Minerals lease application as listed below at a minimum annual rental rate of \$500.00 per lease or \$1.00 per acre, whichever is greater. The production royalty as provided in the lease form, approved by the Director of the Trust Lands Administration, is 8 percent for fissionable minerals and 4 percent for non-fissionable minerals - based on the gross value of the ore. The land status has been examined utilizing both the plat books and the business system and the lands were found to be open and available. The application has been checked for completeness and found to be in proper order. The lease administrator has had this legal description reviewed by the GIS group. The business system and plat books have been updated to show the lease application as an existing contract on the lands described below:

<u>ML 51629</u>	<u>T32S, R25E, SLB&M.</u>	<u>San Juan County</u>
Kimberly Soer	Sec. 2: Lots 1(40.62), 2(40.79), 3(40.95),	1,603.48 Acres
William Soer	4(41.12), 5(40.00), 6(40.00),	
Gavin Harrison	7(40.00), 8(40.00), 9(40.00), 10(40.00),	
308 Alfandre Mews	11(40.00), 12(10.00), 13(40.00), 14(40.00),	
Gaithersburg, MD 20878	15(40.00), 16(40.00), S½	
	Sec. 16: All	
Annual Rental: \$ 1, 604.00		Fund: SCH

EXPIRATION OF METALLIFEROUS MINERALS LEASE – ML 48315

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 on its own terms at the end of the ten (10) year primary term on July 31, 2009. The land included under the referenced lease will be offered for lease through the sealed-bid, competitive lease offering.

ML 48315
James E. Lunbeck
761 Douglas Street
Salt Lake City, Utah 84102

T4S, R3W, SLB&M.
Sec. 36: NW¼

Utah
160.00 Acres

Fund: SCH

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

S U R F A C E A C T I O N S

GRAZING PERMITS

GRAZING PERMIT NO. 22918-09 (ASSIGNMENT)

Kent Murdock, 153 North 3000 West, Mapleton, UT 84664, has requested the Trust Lands Administration's permission to assign 100% interest in the above referenced grazing permit to Tyson Joe O'Driscoll, P.O. Box 964, Gunnison, UT 84634. The assignment fee in the amount of \$92.00 has been submitted. Emery County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the assignment of GP 22918-09.

GRAZING PERMIT NO. 22918-09 (COLLATERAL ASSIGNMENT)

Tyson Joe O'Driscoll, P.O. Box 964, Gunnison, UT 84634, has requested the Trust Lands Administration's permission to collaterally assign the above referenced grazing permit to the USDA Farm Service Agency, 50 South Main, Suite #4, Manti, UT 84642. The collateral assignment fee in the amount of \$50.00 has been paid. Emery County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the collateral assignment of GP 22918-09.

RANGE IMPROVEMENT PROJECTS

RANGE IMPROVEMENT PROJECT NO. 354 - WITHIN GP 20426 AND GP 20426-A (APPROVAL)

APPLICANT'S NAME AND ADDRESS:

Trust Lands Administration
130 N. Main
Richfield, UT 84701

LEGAL DESCRIPTION OF LANDS DIRECTLY AFFECTED:

T28S, R18W, SLB&M

Section 32: E½

COUNTY: Beaver FUND: School

REQUESTED/PROPOSED ACTION:

Agency staff is proposing to develop two springs for livestock water and perfect a water right on each spring. Each spring development will consist of a head box, pipeline, and trough.

RELEVANT FACTUAL BACKGROUND:

Agency staff initiated the proposal for the range improvement on March 24, 2009. A search of Agency records was made to determine the status of the area involved. The grazing permits of record on the affected area are GP 20426 and GP 20426-A. Water Right Application Nos. 14-122 and 14-123 have been obtained through the Utah Division of Water Rights.

A summary of the project and map was sent to the Resource Development Coordinating Committee ("RDCC") on March 25, 2009. No comments were received. The Five County Association of Governments recommended approval in a letter submitted on April 9, 2009.

A cultural resource survey was conducted by Agency staff. It was noted that the remains of a historic homestead are present at the base of the hill by the southern spring. The spring development will have "No Adverse Affect" by avoiding ground disturbance in the area around the cabin/dugout/trash area.

All funding for this project (approximately \$2,500) was provided by the Agency's 10% grazing fee money in an effort to obtain water rights on the two springs. Therefore, no project costs will need to be amortized.

EVALUATION OF THE FACTS:

The proposed range improvement is not located on land affected by (a) or (b) of R850-50-1100(5). The proposed water development fills a critical need for livestock water and will enhance the value of the property.

Based on the above information and upon recommendation of Mr. Ron Torgerson, the Director approved the implementation of Range Improvement Project No. 354. This summary will constitute the Record of Decision.

RIGHTS OF ENTRY**RIGHT OF ENTRY NO. 5362 AND MEMORANDUM OF UNDERSTANDING FOR THE DREDGING OF THE HUNTINGTON GAME FARM POND (APPROVAL)**

The Agency has received a right of entry application from Utah Division Wildlife Resources ("DWR"), c/o Justin Hart, 319 N. Carbonville Rd., Suite 4, Price, UT 84501, to occupy the following described trust land located within Emery County to temporarily use an existing fishing pond:

Township 17 South, Range 8 East, SLB&M
Sec 12: NW¹/₄NE¹/₄

This pond was on the property when the Agency acquired the property from the BLM as part of Exchange No. 205 (Inholdings Exchange). This permit will authorize the pond and its use as a community fishery until a long-term solution (lease, sale, or exchange) can be implemented. In conjunction with the right of entry, DWR has requested that the Agency enter into a Memorandum of Understanding ("MOU"), allowing DWR to dredge out the pond and stockpile it with fish. The term of the MOU will be limited to one year pending implementation of a long-term solution.

The fee for this right of entry is \$200.00 plus a \$50.00 application and a \$50.00 processing fee, totaling \$300.00. School Fund. Emery County. Beginning Date: August 1, 2009. Expiration Date: July 31, 2010.

Upon recommendation of Mr. Lou Brown, the Director approved the above listed Right of Entry and Memorandum of Understanding for a term of one year.

EASEMENTS**EASEMENT NO. 1453/PREDESIGNATION NO. 737 (BLM UTU-86729) (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Bureau of Land Management
Moab Field Office
82 E. Dogwood Ave.
Moab, Utah 84532

LEGAL DESCRIPTION:

Easement from the Trust Lands Administration granted to Bureau of Land Management (Easement No. 1453):

The following descriptions closely approximate the location of the centerline of the physical monument based on mapping grade Global Positioning System ("GPS") data. The trail segment itself is the monument that is identified by its physical presence on the land.

Township 23 South, Range 20 East, SLB&M
Section 16: SE¹/₄, S¹/₂NE¹/₄, NE¹/₄NE¹/₄, SE¹/₄NW¹/₄, E¹/₂SW¹/₄, SW¹/₄SW¹/₄ (within)

Trail Segment A

A 10 foot wide easement for an existing trail, being 5 feet on either side of the following described centerline:

EASEMENT NO. 1453/PREDESIGNATION NO. 737 (BLM UTU-86729) (APPROVAL) (CONTINUED)Trail Segment A (cont.)

Beginning at a point on the centerline of an existing trail being on the south line of Section 16, T23S, R20E, SLB&M, said point being located west 1,027 feet more or less along said south line from the southeast corner of said Section 16, thence running along said centerline the following courses: N 01°12'38" E 116.46 feet; thence N 24°10'02" E 127.66 feet; thence N 28°56'18" E 58.11 feet; thence N 09°32'45" E 81.51 feet; thence N 04°21'09" W 59.23 feet; thence N 05°26'25" E 69.21 feet; thence N 47°43'35" W 48.77 feet; thence N 15°04'07" W 88.34 feet; thence N 03°53'59" W 83.61 feet; thence N 17°51'14" W 53.68 feet; thence N 00°08'47" E 77.1 feet; thence N 04°07'05" E 65.79 feet; thence N 14°17'12" W 96.67 feet; thence N 09°39'54" W 31.44 feet; thence N 17°26'06" W 63.62 feet; thence N 00°41'48" W 91.72 feet; thence N 08°29'01" E 60.58 feet; thence N 16°14'27" E 298.27 feet; thence N 17°15'53" E 130.55 feet; thence N 24°43'22" E 251.03 feet; thence N 31°47'36" E 123.99 feet; thence N 19°03'35" E 60.28 feet; thence N 11°24'22" E 82.45 feet; thence N 06°15'27" E 78.80 feet; thence N 01°31'19" W 114.87 feet; thence N 14°28'44" E 76.24 feet; thence N 17°10'16" E 68.68 feet to a point of intersection with an existing trail, said point being the point of terminus of Trail Segment B; thence continuing along said centerline N 29°26'52" E 65.93 feet; thence N 48°58'44" E 196.34 feet; thence N 45°40'58" E 53.42 feet; thence N 49°21'51" E 71.77 feet; thence N 38°50'11" E 86.88 feet; thence N 50°39'59" E 68.72 feet; thence N 51°34'03" E 64.33 feet; thence N 43°35'59" E 167.67 feet; thence N 54°46'54" E 104.74 feet to a point located on the east line of said Section 16. The side lines of said described centerline being shortened or lengthened to meet the Grantor's property lines. Total length of centerline is 3,438.45 feet. Contains 0.79 acres, more or less.

Trail Segment B

A 10 foot wide easement for an existing trail, being 5 feet on either side of the following described centerline:

Beginning at a point on the centerline of an existing trail being on the south line of Section 16, T23S, R20E, SLB&M, said point being located west 2,103 feet more or less along said south line from the southeast corner of said Section 16, thence running along said centerline the following courses: N 10°41'57" E 71.22 feet; thence N 02°14'54" E 88.65 feet; thence N 26°05'33" E 67.58 feet; thence N 50°30'20" E 61.90 feet; thence N 37°51'08" E 58.17 feet; thence N 25°17'57" E 74.39 feet; thence N 02°51'45" W 49.27 feet; thence N 24°16'16" W 59.38 feet; thence N 45°30'18" W 97.37 feet to a point of intersection with an existing trail, said point being the point of beginning of Trail Segment C as described below; thence continuing along the centerline N 42°36'42" W 270.55 feet; thence N 32°51'50" W 103.51 feet; thence N 11°28'33" W 244.39 feet; thence N 12°22'06" E 47.02 feet; thence N 20°00'47" W 181.57 feet; thence N 61°08'22" W 111.00 feet to a point of intersection with an existing trail, said point being the point of terminus of Trail Segment C as described below; thence continuing along the centerline N 66°44'21" W 59.57 feet; thence N 75°49'55" W 107.23 feet; thence N 48°07'03" W 61.43 feet; thence N 58°57'10" W 54.07 feet; thence N 68°31'39" W 80.66 feet; thence N 53°07'48" W 82.02 feet; thence N 26°44'12" W 117.56 feet; thence N 09°17'59" E 53.19 feet; thence N 06°37'57" W 71.01 feet; thence N 08°37'09" E 63.05 feet; thence N 67°14'46" W 59.38 feet; thence N 89°18'01" W 134.33 feet; thence N 81°12'16" W 75.10 feet; thence N 23°02'30" W 53.48 feet; thence N 04°41'06" W 67.48 feet; thence N 12°11'49" E 87.27 feet; thence N 06°09'05" E 59.40 feet; thence N 00°00'00" E 54.13 feet; thence N 26°28'23" E 112.86 feet; thence N 28°16'01" E 123.70 feet; thence N 01°08'45" E 50.86 feet; thence N 33°29'29" W 47.21 feet; thence N 00°51'14" E 83.67 feet; thence N 14°54'31" E 184.12 feet; thence N 08°48'38" E 133.7 feet; thence N 23°27'59" E 60.80 feet; thence N 42°13'50" E 126.28 feet; thence N 31°00'16" E 118.66 feet; thence N 48°17'17" E 103.55 feet; thence N 63°44'34" E 51.91 feet; thence N 32°36'12" E 198.62 feet; thence N 55°33'40" E 69.62 feet; thence N 90°00'00" E 47.38 feet; thence N 59°52'04" E 137.25 feet; thence N 40°24'56" E 56.02 feet; thence N 54°34'30" E 67.92 feet; thence N 75°12'42" E 64.27 feet; thence S 65°46'30" E 127.93 feet; thence S 48°29'33" E 64.36 feet; thence S 63°01'11" E 50.62 feet; thence S 48°55'25" E 54.92 feet; thence S 30°02'14" E 106.11 feet; thence S 40°46'28" E 108.31 feet; thence S 22°30'28" E 56.82 feet; thence S 09°58'34" E 64.96 feet; thence S 35°42'24" E

EASEMENT NO. 1453/PREDESIGNATION NO. 737 (BLM UTU-86729) (APPROVAL) (CONTINUED)Trail Segment B (cont.)

64.65 feet; thence S 60°28'58" E 53.27 feet; thence N 72°06'33" E 48.06 feet; thence N 50°52'11" E 124.77 feet; thence N 62°11'10" E 63.28 feet; thence N 80°04'45" E 76.17 feet; thence S 75°50'47" E 73.80 feet; thence S 55°34'57" E 116.09 feet; thence S 21°09'01" E 56.28 feet; thence S 09°32'12" W 116.44 feet; thence S 03°04'48" E 69.00 feet; thence S 32°26'18" E 69.97 feet; thence S 58°55'15" E 69.91 feet; thence N 90°00'00" E 118.50 feet; thence S 65°46'05" E 187.77 feet; thence S 20°15'15" W 69.94 feet; thence S 16°28'34" E 56.45 feet; thence S 65°23'06" E 59.08 feet; thence S 79°25'35" E 62.58 feet; thence S 54°12'48" E 171.12 feet to a point of intersection with Trail Segment A as described above, said point being the point of terminus. The side lines of said described centerline being shortened or lengthened to meet the Grantor's property lines. Total length of centerline is 7,125.89 feet. Contains 1.64 acres, more or less.

Trail Segment C

A 10 foot wide easement for an existing trail, being 5 feet on either side of the following described centerline:

Beginning at a point of intersection with Trail Segment B, said point being the point of beginning of Trail Segment C as described above, thence running along the centerline of an existing trail the following courses: S 58°28'37" W 220.19 feet; thence S 07°07'20" W 80.71 feet; thence S 44°57'30" W 31.85 feet; thence S 72°47'23" W 101.46 feet; thence N 30°27'11" W 46.09 feet; thence S 82°58'38" W 134.71 feet; thence N 45°40'54" W 56.54 feet; thence S 64°12'50" W 34.54 feet; thence N 33°55'47" W 26.10 feet; thence N 42°55'05" E 45.34 feet; thence N 20°33'05" E 46.92 feet; thence N 03°16'43" E 40.16 feet; thence N 58°13'14" W 60.86 feet; thence N 00°49'33" W 36.42 feet; thence N 43°12'06" W 29.57 feet; thence S 50°35'26" W 58.34 feet; thence S 38°52'55" E 18.5 feet; thence S 32°17'26" W 78.24 feet; thence S 53°02'20" W 24.72 feet; thence N 72°57'18" W 11.98 feet; thence N 44°00'56" W 49.95 feet; thence N 00°47'53" W 80.09 feet; thence N 78°43'56" W 17.46 feet; thence S 34°20'44" W 44.54 feet; thence N 68°49'34" W 58.40 feet; thence S 40°32'37" W 116.44 feet; thence S 21°34'05" W 74.79 feet; thence N 76°31'18" W 29.42 feet; thence S 62°07'16" W 31.99 feet; thence S 23°38'05" W 123.98 feet; thence S 63°42'54" E 48.01 feet; thence S 43°07'07" W 65.71 feet; thence S 22°12'13" E 15.63 feet; thence S 73°19'40" W 26.65 feet; thence S 47°53'35" W 60.67 feet; thence S 68°45'46" W 73.00 feet; thence S 49°27'13" W 74.09 feet; thence S 39°11'38" W 66.50 feet; thence N 82°25'13" W 74.87 feet; thence S 49°47'37" W 51.64 feet; thence S 87°21'36" W 98.36 feet; thence N 06°14'31" E 58.19 feet; thence S 47°53'35" W 60.67 feet; thence N 32°08'26" W 38.36 feet; thence N 12°43'32" E 48.70 feet; thence N 41°17'12" W 52.66 feet; thence S 38°38'33" W 39.62 feet; thence S 16°46'14" W 105.4 feet; thence S 81°59'35" W 49.70 feet; thence N 4°00'13" W 86.46 feet; thence N 12°50'25" E 108.66 feet; thence S 67°04'43" W 67.64 feet; thence N 66°56'41" W 162.02 feet; thence S 46°14'34" W 42.79 feet; thence S 09°41'20" E 36.84 feet; thence S 05°36'55" W 25.48 feet; thence N 84°26'58" W 31.55 feet; thence N 22°11'18" W 23.46 feet; thence N 59°21'34" W 76.80 feet; thence N 30°38'28" W 62.96 feet; thence N 33°35'12" E 35.29 feet; thence S 86°30'55" E 48.58 feet; thence S 73°05'24" E 35.87 feet; thence N 56°38'01" E 33.82 feet; thence S 69°00'33" E 49.09 feet; thence N 00°49'02" W 43.71 feet; thence N 66°09'02" E 37.16 feet; thence S 85°36'31" E 80.12 feet; thence N 48°47'35" E 33.67 feet; thence N 09°01'00" E 33.29 feet; thence S 58°55'38" E 124.15 feet; thence N 22°42'17" E 71.48 feet; thence N 64°39'43" E 43.85 feet; thence N 81°06'37" E 25.9 feet; thence N 08°15'46" W 44.06 feet; thence N 53°49'24" E 31.46 feet; thence N 58°13'43" W 114.96 feet; thence N 81°44'35" W 23.07 feet; thence N 00°49'11" W 61.92 feet; thence N 15°33'14" E 30.34 feet; thence N 22°57'30" E 63.67 feet; thence N 18°11'09" W 38.16 feet; thence N 38°51'02" W 41.58 feet; thence N 33°01'40" E 61.40 feet; thence N 15°57'02" E 98.85 feet; thence N 03°13'54" E 40.16 feet; thence N 40°16'42" W 89.62 feet; thence N 06°02'39" E 47.67 feet; thence N 73°45'00" E 109.39 feet; thence N 53°29'06" E 56.13 feet; thence N 63°47'34" E 110.40 feet; thence N 81°55'32" E 28.73 feet; thence N 19°24'30" E 65.95 feet; thence N 05°18'22" W 36.54 feet; thence N 67°05'22" E 67.67 feet; thence S 67°47'06" E 9.28 feet; thence S 43°12'06" E 29.57 feet; thence N 73°19'40" E 26.65 feet; thence N 83°34'34" E 37.24 feet;

EASEMENT NO. 1453/PREDESIGNATION NO. 737 (BLM UTU-86729) (APPROVAL) (CONTINUED)Trail Segment C (cont.)

thence N 10°15'14" E 29.67 feet; thence N 33°02'40" E 30.69 feet; thence S 74°04'12" E 50.56 feet; thence S 47°01'17" E 31.57 feet; thence S 71°41'07" E 177.91 feet; thence S 48°26'51" E 27.01 feet; thence S 69°48'42" E 30.52 feet; thence N 83°34'14" E 37.21 feet; thence N 56°38'01" E 33.82 feet; thence N 28°50'12" E 92.17 feet; thence N 64°53'28" E 53.12 feet; thence S 84°57'11" E 71.60 feet; thence N 20°35'53" E 15.67 feet; thence N 83°34'14" E 37.21 feet; thence S 54°37'17" E 24.71 feet; thence N 81°55'32" E 28.73 feet; thence S 76°29'28" E 44.10 feet; thence N 74°52'46" E 14.72 feet; thence N 48°45'04" E 33.69 feet to a point of intersection with Trail Segment B, said point being the point of terminus of Trail Segment C as described above. The side lines of said described centerline being shortened or lengthened to match the points of intersection with Trail Segment B. Total length of centerline is 6,568.52 feet. Contains 1.51 acres, more or less.

Trail Segment D

A 10 foot wide easement for an existing trail, being 5 feet on either side of the following described centerline:

Beginning at a point on the centerline of an existing trail being on the east line of Section 16, T23S, R20E, SLB&M, said point being located south 401 feet more or less along said east line from the northeast corner of said Section 16, thence running along said centerline the following courses: N 60°37'59" W 121.56 feet; thence N 69°50'08" W 152.28 feet; thence N 65°55'51" W 307.24 feet; thence N 69°03'48" W 110.9 feet; thence N 62°47'43" W 253.35 feet to a point on the north line of said Section 16. The side lines of said described centerline being shortened or lengthened to meet the Grantor's property lines. Total length of centerline is 945.33 feet. Contains 0.22 acres, more or less.

COUNTY: Grand

ACRES: 4.16

FUND: School

Easement from the Bureau of Land Management granted to the Trust Lands Administration (Predesignation No. 737/BLM UTU-86729):

The following descriptions closely approximate the location of the centerline of the physical monument based on mapping grade Global Positioning System ("GPS") data. The road segment itself is the monument that is identified by its physical presence on the land.

Township 25 South, Range 26 East, SLB&M

Section 20: N½SE¼, SE¼NE¼ (within)

Section 21: W½NW¼ (within)

A 66 foot wide easement for an existing access road, being 33 feet on either side of the following described centerline:

Beginning at a point on the centerline of an existing access road, said point being located on the north line of Section 21, T25S, R26E, SLB&M, east 366 feet more or less along said north line from the northwest corner of said Section 21, thence running along said centerline the following courses: S 02°13'40" E 212.69 feet; thence S 01°39'42" W 214.99 feet; thence S 00°26'27" W 127.96 feet; thence S 01°47'49" W 83.70 feet; thence S 07°25'12" W 142.27 feet; thence S 06°12'12" W 151.81 feet; thence S 06°20'25" W 74.27 feet; thence S 03°33'38" W 73.96 feet; thence S 05°32'24" W 384.01 feet; thence S 17°06'10" W 89.25 feet; thence S 25°33'36" W 92.01 feet; thence S 33°15'58" W 110.65 feet; thence S 37°10'48" W 109.12 feet; thence S 33°43'58" W 122.3 feet; thence S 29°25'15" W 101.21 feet; thence S 24°46'02" W 123.32 feet; thence S 30°33'39" W 80.01 feet; thence S 34°22'02" W 222.01 feet; thence S 37°58'03" W 214.92 feet; thence S 38°11'11" W 217.05 feet; thence S

EASEMENT NO. 1453/PREDESIGNATION NO. 737 (BLM UTU-86729) (APPROVAL) (CONTINUED)

33°37'17" W 151.69 feet; thence S 31°26'34" W 80.13 feet; thence S 25°55'18" W 123.34 feet; thence S 20°16'23" W 81.67 feet; thence S 14°12'24" W 133.68 feet; thence S 43°53'43" W 84.23 feet; thence S 70°28'54" W 93.29 feet; thence S 82°20'58" W 110.9 feet; thence S 90°00'00" W 68.57 feet; thence S 86°07'02" W 72.67 feet; thence N 88°29'05" W 62.03 feet; thence N 78°54'23" W 51.15 feet; thence N 72°50'51" W 55.62 feet; thence N 76°46'51" W 50.22 feet; thence N 87°31'55" W 38.09 feet; thence S 83°12'40" W 55.51 feet; thence S 78°01'56" W 134.49 feet; thence S 81°25'37" W 66.03 feet; thence S 90°00'00" W 58.73 feet; thence N 85°27'44" W 62.20 feet; thence N 74°44'42" W 56.11 feet; thence N 76°10'41" W 42.57 feet; thence N 88°02'31" W 38.41 feet; thence S 87°53'54" W 35.79 feet; thence S 67°09'59" W 47.35 feet; thence S 48°44'35" W 49.75 feet to a point of intersection with the State Line Gateway Road. Total length of centerline is 4,851.73 feet. Containing 7.35 acres more or less.

COUNTY: Grand

ACRES: 7.35

FUND: N/A

The easement administrator has had these legal descriptions reviewed by the GIS Group.

PROPOSED ACTION:

The proposed action is a reciprocal easement agreement between the Trust Lands Administration and the Bureau of Land Management, Moab Field Office ("BLM"). The Trust Lands Administration proposes to grant an easement for an existing trail corridor to the BLM in exchange for a grant of easement to the Trust Lands Administration from the BLM for an existing access road across BLM lands.

The Trust Lands Administration proposes to grant a non-exclusive easement to the BLM to construct, operate, repair, and maintain an existing trail corridor across trust lands in Section 16, T23S, R20E, SLB&M, in Grand County. This trail corridor is known as the Baby Steps Trail and is a popular mountain biking trail in the area. The proposed easement corridor is 18,078.19 feet long and 10 feet wide, containing 4.16 acres, more or less. The term of the easement granted to the BLM will be perpetual. A relocation clause will be included in the easement agreement for the easement granted to the BLM. This easement will be referenced as Easement No. 1453.

The BLM proposes to grant a non-exclusive easement to the Trust Lands Administration to construct, operate, repair, and maintain an existing access road across BLM lands in Sections 20 & 21, T25S, R26E, SLB&M, in Grand County. This road provides access from an existing county-maintained road to a parcel of trust lands located in Section 16, T25S, R26E, in the Delores Point area. This access road easement will provide guaranteed access to a potential future development parcel. The proposed easement corridor is 4,851.73 feet long and 66 feet wide, containing 7.35 acres. The term of the easement granted to the Trust Lands Administration will be perpetual. This easement will be referenced by the Trust Lands Administration as Predesignation No. 737 and by the BLM as UTU-86729.

RELEVANT FACTUAL BACKGROUND:

The subject "Application to Purchase an Easement" was received on October 23, 2008. It was submitted for the Agency review on October 29, 2008, and was accepted by the Director on November 17, 2008.

The proposed easement was exempt from review by the Resource Development Coordinating Committee ("RDCC") since it will be issued for an existing trail corridor and involves no new ground disturbance.

Since the easement being issued to the BLM does not involve any new ground disturbance, a cultural resource inventory was not completed.

EASEMENT NO. 1453/PREDESIGNATION NO. 737 (BLM UTU-86729) (APPROVAL) (CONTINUED)**EVALUATION OF FACTS:**

The Agency's archaeology staff has reviewed the proposed easement and concurs that, since there will be no new ground disturbance, a cultural resource inventory will not be required.

The easement that will be granted to the Trust Lands Administration contains 7.35 acres and will provide access to a potential future development parcel. It has been determined that the value of this easement grant being received from the BLM meets or exceeds the value of the 4.16 acre trail easement that is being granted to the BLM. Therefore, no additional compensation will be required for the easement.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1453 and Predesignation No. 737 (BLM UTU-86729). Easement No. 1453 is granted to the BLM for a perpetual term commencing July 1, 2009. Predesignation No. 737 (BLM UTU-86729) is granted to the Trust Lands Administration for a perpetual term commencing July 1, 2009.

RIGHT OF WAY NO. 571-D (CONVEYANCE – CORRECTION OF AGENCY RECORDS) (CORRECTION OF DIRECTOR'S MINUTES DATED JULY 27, 2009)

On the Director's Minutes dated July 27, 2009, a record-keeping item was listed documenting a correction of Agency records whereby a number of right-of-way contract records were corrected and updated to reflect the conveyance of the parcels out of Trust ownership. In this entry one of the right-of-way contracts was incorrectly listed as "Right of Way No. **517-D**, Quit Claim Deed No. 1449." The minutes should be corrected to read "Right of Way No. **571-D**, Quit Claim Deed No. 1449." San Juan County. School Fund.

Upon recommendation of Mr. Chris Fausett, the Director approved the correction to the Director's Minutes dated July 27, 2009.

SPECIAL USE LEASE AGREEMENTS**SPECIAL USE LEASE AGREEMENT NO. 1643 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

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

APPLICATION TYPE: INDUSTRIAL
TERMS: 20 years
BEGINNING DATE: August 1, 2009
ENDING DATE: July 31, 2029
NEXT REVIEW DATE: August 1, 2014

FIRST YEAR RENTAL:	\$7,500.00
APPLICATION FEE:	250.00
PROCESSING FEE:	<u>700.00</u>
TOTAL SUBMITTED:	\$8,450.00

LEGAL DESCRIPTION:

Township 15 South, Range 12 East, SLB&M
Section 32: SE¹/₄NE¹/₄ (within)

SPECIAL USE LEASE AGREEMENT NO. 1643 (APPROVAL) (CONTINUED)

Beginning at a point in the SE¹/₄NE¹/₄ of Section 32, T15S, R12E, SLB&M, which bears N 22°35'13" W 427.53 ft from the East Corner of said Section 32, thence S 72°00'18" W 267.23 ft; thence N 17°59'00" W 400.10 ft; thence N 72°01'41" E 190.00 ft; thence N 17°59'00" W 135.05 ft; thence N 72°01'00" E 295.00; thence S 17°59'00" E 400.15 ft; thence S 00°06'05" W 141.88 ft; thence S 72°00'18" W 173.72 ft to the point of beginning. Basis of bearings is a G.P.S. observation. Contains 5.300 acres, more or less.

The lease administrator has had this legal description reviewed by the GIS Group.

COUNTY: Carbon

ACRES: 5.300

FUND: School

PROPOSED ACTION:

The applicant proposes to construct, operate, and maintain a well pad site (Utah Federal 8E-32-15-12). The well will be directionally drilled from the trust land surface estate into the adjacent Federal land located in Section 33, Township 15 South, Range 12 East, SLB&M. The pipe will not be perforated, and no oil, gas, or hydrocarbons will be removed while passing through the subsurface of Section 32. Therefore, as the production from the well will not be associated with the Agency's mineral lease in Section 32, the well pad falls under this special use lease agreement. The lease term will be 20 years.

RELEVANT FACTUAL BACKGROUND:

The application is exempt from competitive leasing pursuant to R850-30-500(2)(b)(ii) "Mineral and oil and gas extraction facilities when the agency does not own the mineral estate."

The Resource Development Coordinating Committee ("RDCC") and the Southeastern Utah Association of Governments ("SUAG") were contacted and reviewed the proposal. No comments were received from RDCC. The SUAG responded with "favorable comment recommended." These comments have been provided to the applicant.

Governmental regulatory compliance requirements are included in Article 5 of the lease agreement.

The Trust Lands Administration's staff archaeologist reviewed a survey, Montgomery (U-08-MQ-1086s), and concurred with the finding of "historic properties not affected."

The term of the lease will be 20 years. The applicant submitted a bid of \$7,500.00 for the annual rental for the well site. The lease agreement will contain a clause whereby the annual rate is evaluated and can be adjusted at the end of each five-year review period. The adjustment will be made according to Trust Land Administration Rule R850-30-400(4) and will use the approved index.

EVALUATION OF FACTS:

The Director has determined that this lease application is exempt from competitive leasing pursuant to R850-30-500(2)(b)(ii). The proposed rental of \$7,500.00 meets the fair market value requirement of R850-30-400(1). The lease will have a clause providing for escalation of the annual rental at the end of each five-year review period utilizing the approved index.

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

Upon recommendation of Mr. Kurt Higgins, the Director approved the issuance of SULA 1643 for a term of 20 years, with a beginning annual rental of \$7,500.00 and a five-year rental review pursuant to R850-30-400.

WATER RIGHT NO. 95-5058 (CHANGE APPLICATION A3351) (CERTIFICATE OF BENEFICIAL USE)

Water Right No. 95-5058 (Jakes Knoll Pond) is located on the Parker Mountain Block at the following described location:

Township 29 South, Range 1 East, SLB&M
Section 15: SW¹/₄SW¹/₄
Section 34: NW¹/₄SE¹/₄

The State Engineer has issued a Certificate of Beneficial Use for this water right which is the final step in completing its appropriation. The original Certificate is filed in the Title Document Drawer.

This item submitted by Mr. Wilcox for record-keeping purposes.

WATER RIGHT NO. 95-5198 (CERTIFICATE OF BENEFICIAL USE)

Water Right No. 95-5198 (Tarantula Mesa) is an underground water well which provides 1.988 acre feet and is located at the following described location:

Township 32 South, Range 9 East, SLB&M
Section 32: SE¹/₄SW¹/₄

The State Engineer has issued a Certificate of Beneficial Use for this water right which is the final step in completing its appropriation. The original Certificate is filed in the Title Document Drawer.

This item submitted by Mr. Wilcox for record-keeping purposes.

DEVELOPMENT ACTIONS

DEVELOPMENT SUBDIVISION SALES

THE FOLLOWING SALES HAVE BEEN EXECUTED AND PATENTS ISSUED FOR:

SUBD 10.0 Highland Park Phase 1 Subdivision

These transactions have been executed pursuant to Development Lease DEVL 610.

LEGAL DESCRIPTION: (SUBDIVISION)

Section 18, Township 42.0 S, Range 14.0 W, SLBM
Section 7, Township 42.0 S, Range 14.0 W, SLBM

PURCHASER:

GOLDEN HERITAGE HOMES, INC.
2303 N. CORAL CANYON BLVD., SUITE 200
ST. GEORGE, UT 84780

DEVELOPMENT SUBDIVISION SALES - HIGHLAND PARK PHASE 1 SUBDIVISION (CONTINUED)

LOT SALE DESCRIPTION:

Desc /	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acreage	Fund	Section
Lot 177	26377-10-177	07/21/09	19928-10-177	07/07/06	\$10,926.58	\$20.00	0.19	SCH	7
Lot 221	26377-10-221	07/21/09	19928-10-221	07/07/06	\$10,999.44	\$20.00	0.24	SCH	7
Lot 265	26377-10-265	07/27/09	19928-10-265	07/07/06	\$ 8,458.08	\$20.00	0.11	SCH	7

LIST MINERAL RESERVATIONS:

Subject to a reservation to the State of all coal and other mineral deposits along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

LIST SURFACE RESERVATIONS:

Subject to an easement across the property for utilities as shown on the recorded plat map; also,

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute.

Subject to the Covenants, Conditions, and Restrictions that have been recorded for the subdivision.

These items were submitted for record-keeping purposes by Andrea James.

DEVELOPMENT DESIGNATION - DEVL 906

THE FOLLOWING FINDING IS MADE PURSUANT TO R850-140, WHICH ALLOWS THE DIRECTOR TO DESIGNATE DEVELOPMENT PROPERTIES WHEN CERTAIN CRITERIA ARE SATISFIED.

Property: Kanab Airpark
Kane County

Location: Township 44 South, Range 5 West, SLB&M
Section 2: S½N½ and S½
Property description has been reviewed by the GIS Group.

Acreage: 480 acres, more or less.

Fund: School

Approved by Douglas O. Buchi on July 28, 2009.

This property is suitable for designation as a development property pursuant to R850-140 for the following reasons:

1. This property is located in Kane County, approximately 8 miles East of Kanab, just South of Highway 89, and is of a character suitable for residential development.
2. Trust Lands has received inquiry from a private party concerning the potential for development of the property.

This item was submitted by Alexa Wilson for record-keeping purposes.

ACTIONS CONTAINING FEE WAIVERS

NONE

TRUST ACCOUNTING ACTIONS

CANCELED MINERAL LEASE (CORRECTION)

The following mineral lease was canceled for non-payment on the 7/27/2009 minutes:

The following entry is incorrect:

<u>LEASE #</u>	<u>LESSEE NAME</u>	<u>BENE</u>	<u>COUNTY</u>	<u>TYPE</u>
<i>ML 40845</i>	JONES, VERN	RES	GARF	OGA

The correct entry should be:

ML 50845	JONES, VERN	RES	GARF	OGA
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Upon recommendation of Mr. Gritzmacher, Budget Manager, the Director approved this correction to the minutes.

INTEREST RATES

Following are the current and past year prime rates:

CURRENT YEAR:	3.25%
ONE YEAR AGO:	5.00%