


AUGUST 3, 2009

THE DIRECTOR OF THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION TOOK FORMAL ACTION ON AUGUST 3, 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 AUGUST 3, 2009.

THESE MINUTES INCLUDE MINERAL ACTIONS AS LISTED ON PAGES 1 TO 4; SURFACE ACTIONS AS LISTED ON PAGES 4 TO 20; DEVELOPMENT ACTIONS AS LISTED ON PAGES 20 TO 25; AND ACTIONS CONTAINING FEE WAIVERS AS LISTED ON PAGES 25 TO 26.

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 17, 2009. APPEALS NOT FILED BY THAT TIME WILL NOT BE ACCEPTED AND THE MATTERS WILL BE CONSIDERED UNAPPEALABLE.


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


LESLIE M. WARNER, RECORDS OFFICER

ARCHIVES APPROVAL NO. 7990209

MINERAL ACTIONS

MATERIALS PERMIT NO. 444 (APPROVAL)

APPLICANT:

Nielson Construction
825 North Loop Road
P.O. Box 620
Huntington, UT 84528

AFFECTED LANDS:

Township 17 South, Range 8 East, SLB&M.
Section 5: N½SW¼

COUNTY: Emery

ACRES: 80.0±

FUND: SCH

PROPOSED ACTION:

Applicant proposes to mine common sand and gravel on the subject lands.

RELEVANT FACTUAL BACKGROUND:

The subject lands have been historic sand and gravel operations. Applicant previously held Materials Permit No. 300 on the subject lands. This action is exempt from the State of Utah Resource Development Coordinating Committee ("RDCC") process because it is an ongoing historic use of the lands and no additional lands will be disturbed. Consultation with the Trust Lands Staff Archeologist resulted in the determination that no survey was necessary. The Public Notice process was completed. No competing applications were received. Royalty rate for the materials mined is \$0.70 per banked cubic yard of ordinary sand and gravel material. Annual rental rate is \$10 per acre. There are no minimum annual royalties associated with this permit. The permit term is for a period of five (5) years, ending July 31, 2014.

EVALUATION OF FACTS:

R850-23-200 states that the Trust Lands Administration may issue materials permits or convey profits a prendre on similar interests on trust lands where the Trust Lands Administration deems it consistent with land use plans and Trust responsibilities. Mining of sand and gravel is a historic use of the subject lands and an appropriate use of the lands, pursuant to R850-23-200. The royalty rates set for commodities from this site are consistent with royalty rates set for other material permit sites on trust lands in the Carbon County and Emery County area. These rates reflect fair market value for the materials and meet the requirements of R850-23-300. The term of the permit is five (5) years, which is consistent with the requirements of R850-23-600.

This action qualifies for an exception to the Administrative Policy on Records of Decision. This action is not considered substantive and does not warrant the time and expense necessary to complete a full narrative Record of Decision, nor is there any evidence that any interested party might be denied access to an appeal process. This summary shall constitute the Record of Decision.

Upon recommendation of Mr. Harden, the Director approved the issuance of Materials Permit No. 444 for a term of five (5) years.

MATERIALS PERMIT NO. 447 (APPROVAL)

APPLICANT:

Box Elder County Road Department
5370 West 8800 North
Tremonton, UT 84337

AFFECTED LANDS:

Township 13 North, Range 18 West, SLB&M.
Section 16: SW¹/₄SE¹/₄SW¹/₄SW¹/₄

COUNTY: Box Elder

ACRES: 2.50±

FUND: SCH

EVALUATION OF FACTS:

Pursuant to R850-23-1400, the subject lands have been predesignated (PRED 733) for sand and gravel sales. Royalty rate for this pit is set at the rate of \$0.25 per banked cubic yard. The term of the permit ends on August 16, 2010.

Upon recommendation of Mr. Harden, the Director approved the issuance on Materials Permit No. 447 for a term of one year.

TOTAL ASSIGNMENT –METALLIFEROUS MINERALS LEASE

Upon recommendation of Mr. Stokes, the Director approved the assignment of the lease listed below to Clifton Mining Company, 80 West Canyon Crest Rd., Alpine, UT 84004, by Dumont Mining Company. No override.

OWNERSHIP BEFORE ASSIGNMENT:

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

RECORD TITLE:

DUMONT MINING COMPANY – 100%

CLIFTON MINING COMPANY – 100%

....ML 48981 (SCH)....

OVER-THE-COUNTER OIL, GAS, AND ASSOCIATED HYDROCARBON LEASE APPLICATION – APPROVED

Upon recommendation of Mr. Bonner, the Director approved the Over-the-Counter Oil, Gas, and Associated Hydrocarbon Lease Application listed below at a rental of \$2 per acre per annum; royalty as provided in the lease form approved by the Director. The application has been checked by the Minerals Section and found to be in order. The land status has been examined and the lands found to be open and available.

Mineral Lease Appl. No. 51628

T21S, R19E, SLB&M.

Grand

NAE, LLC

SEC. 32: N¹/₂N¹/₂

160.00 acres

110 16TH Street, Suite 1220

Denver, CO 80202

Application Date: July 15, 2009

FUND: SCH

INTEREST ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES

Upon recommendation of Ms. Garrison, the Director approved the assignment of 3.8425% interest in and to the lease listed below to Equity Oil Company, 1700 Broadway, Suite 2300, Denver, CO 80290, by Headington Oil Company LLC. No override.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

TOM BROWN INC.-57.50%,
HEADINGTON OIL COMPANY LLC-23.1625%,
 HALLIBURTON ENERGY SERVICES INC.-10.625%,
 EQUITY OIL COMPANY-5.3125%,
 RAMSHORN INVESTMENTS, INC.-3.40%,

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

TOM BROWN INC.-57.50%,
HEADINGTON OIL COMPANY LLC-19.32%,
 HALLIBURTON ENERGY SERVICES INC.-10.625%,
EQUITY OIL COMPANY-9.155%,
 RAMSHORN INVESTMENTS, INC.-3.40%

....ML 27941 (SCH)....

Upon recommendation of Ms. Garrison, the Director approved the assignment of 10.6265% interest in and to the leases listed below to Equity Oil Company, 1700 Broadway, Suite 2300, Denver, CO 80290, by Headington Oil Company LLC. No override.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

EQUITY OIL COMPANY-47.5525%,
HEADINGTON OIL COMPANY LLC-29.9465%,
 HALLIBURTON ENERGY SERVICES INC.-16.6675%,
 RAMSHORN INVESTMENTS, INC.-5.8335%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

EQUITY OIL COMPANY-58.179%,
HEADINGTON OIL COMPANY LLC-19.32%,
 HALLIBURTON ENERGY SERVICES INC.-16.6675%,
 RAMSHORN INVESTMENTS, INC.-5.8335%

.... ML 48430 (SCH)....ML 48603 (SCH)....

Upon recommendation of Ms. Garrison, the Director approved the assignment of 80.68% interest in and to the leases listed below to Equity Oil Company, 1700 Broadway, Suite 2300, Denver, CO 80290, by Headington Oil Company LLC. No override.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

HEADINGTON OIL COMPANY LLC-100%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

EQUITY OIL COMPANY – 80.68%,
HEADINGTON OIL COMPANY LLC-19.32%

.... ML 49671 (SCH)....ML 49672 (SCH)...

WELLBORE INTEREST ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES

Upon recommendation of Ms. Garrison, the Director noted the assignment of 65% of assignor’s working interest in and to the wellbore of the Kings Canyon 2-32E, located in the NW¼NE¼ Sec. 32, T10S, R19E, SLB&M., only as to those depths from directly below the stratigraphic equivalent of 9668’ as found in the Kings Canyon 1-32E Well down to the total depth drilled in the Kings Canyon 2-32E Well (10,020’) in and to the lease listed below to XTO Energy Inc., 810 Houston Street, Fort Worth, TX 76102-6298, by III Exploration Company. (This is a production only assignment - not a leasehold interest assignment.)

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

This item was submitted by Ms. Garrison for record-keeping purposes only.

Upon recommendation of Ms. Garrison, the Director noted the assignment of 65% of assignor’s working interest in and to the wellbore of the Kings Canyon 8-32E, located in the SE¼NE¼ Sec. 32, T10S, R19E, SLB&M., only as to those depths from directly below the stratigraphic equivalent of 9668’ as found in the Kings Canyon 1-32E Well down to the total depth drilled in the Kings Canyon 8-32E Well (9,996’) in and to the lease listed below to XTO Energy Inc., 810 Houston Street, Fort Worth, TX 76102-6298, by III Exploration Company. (This is a production only assignment - not a leasehold interest assignment.)

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

This item was submitted by Ms. Garrison for record-keeping purposes only.

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(s)</u>
GP 20277-09	1,393.48	74.00	Sevier	Univ, SM, School, NS
GP 20234-09	1,200.00	88.00	Carbon	School
GP 20236-09	640.00	37.00	Emery	School
GP 20319-09	640.00	130.00	Uintah	School
GP 20339-09	289.92	20.00	Sevier	School
GP 20376-09	2,560.00	118.00	Beaver	School
GP 22914-09	6,680.16	263.00	Emery	School, Res
GP 22453-09	867.10	35.00	Uintah	School
GP 22466-09	640.00	37.00	Emery	Univ,
GP 22918-09	2,294.20	92.00	Emery	School
GP 22925-09	909.14	102.00	Sevier	School

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

GRAZING PERMIT NO. 14-01 (REINSTATEMENT)

Linda Muth, 3580 North SR 155, Elmo, UT 84521, has requested the reinstatement of GP 14-01, which was canceled for non-payment on April 27, 2009. The permittee has submitted the grazing rental of \$708.75, the reinstatement fee of \$30.00, plus the \$42.53 late fee. The money was received prior to the due date. Carbon and Emery Counties. School Fund.

Upon recommendation of Mr. Scott Chamberlain, the Director approved the reinstatement of GP 14-01.

GRAZING PERMIT NO. 22546 (AMENDMENT - ADDITION OF AUMS)

Red Creek Cattle Association, P.O. Box 754, Fruitland, UT 84027, has requested the addition of 140 AUMs to GP 22546. The fence line in Sand Creek has been realigned giving more area to graze and, therefore, more AUMs are available.

GP 22546 will now contain 3,426 AUMs. The \$50.00 amendment fee, \$910.00 grazing rental, and \$14.00 weed fee have been paid. Wasatch and Duchesne Counties. School Fund.

Upon recommendation of Mr. Scott Chamberlain, the Director approved the addition of 140 AUMs to GP 22546.

GRAZING PERMIT NO. 21718-01 (CANCELLATION)

Nebeker Ranch Co., 3833 Marlene Street, Idaho Falls, ID 83406, has requested cancellation of the above grazing permit because the acreage contained within this permit has been combined into the renewal application GP 20389-09. School Fund. Daggett County.

Upon recommendation of Mr. Scott Chamberlain, the Director approved the cancellation of the above referenced grazing permit.

RANGE IMPROVEMENT PROJECTS**RANGE IMPROVEMENT PROJECT NO. 359 (APPROVAL) AND RANGE IMPROVEMENT PROJECT NO. 291 (CANCELLATION) - WITHIN GP 21305-99****APPLICANT'S NAME AND ADDRESS:**

Scott (Ricky) Gleave
P.O. Box 323
Kingston, UT 84743

LEGAL DESCRIPTION OF LANDS DIRECTLY AFFECTED:

T31S, R2W, SLB&M
Section 32: All

COUNTY: Garfield

FUND: School

ACRES: 366.00

RANGE IMPROVEMENT PROJECT NO. 359 (APPROVAL) AND RANGE IMPROVEMENT PROJECT NO. 291 (CANCELLATION) - WITHIN GP 21305-99 (CONTINUED)

REQUESTED/PROPOSED ACTION:

Range Improvement Project No. 291 was approved on January 5, 2009, as a lop and scatter of pinyon and juniper trees within an old chaining. Instead of the original lop and scatter proposal, the applicant now proposes to re-chain the scattered pinyon and juniper trees followed by a seeding and back-chaining to provide more forage for livestock. Only 366 acres throughout the 640 acre section will be chained. Therefore, the applicant desires to cancel RIP 291 and replace it with RIP 359. Funding partners include the Utah Department of Agriculture & Food Grazing Improvement Program and a grant from the Natural Resources Conservation Service.

RELEVANT FACTUAL BACKGROUND:

On June 8, 2009, the applicant submitted a change in the proposal for this range improvement project. A search of Agency records was made to determine the status of the area involved. The grazing permit of record on the affected area is GP 21305-99, issued to the applicant. The only other record for this area is mineral lease ML 50012 for oil and gas.

A project summary and map was submitted to the Resource Development Coordinating Committee ("RDCC") on June 8, 2009. No comments have been received to date.

A cultural resource survey was not required as this area has been previously disturbed by a chaining in the 1960's.

Funding of this project will be provided by the applicant (\$5,625.00), the Utah Department of Agriculture & Food Grazing Improvement Program (\$16,875.00), and a grant from the Natural Resources Conservation Service (\$21,420.00). The applicant's portion (\$5,625.00) will be amortized. Following is a flat rate amortization schedule (NRCS Schedule) for this project if the Trust Lands Administration cancels the grazing permit before the project is fully amortized. If the permittee sells or allows the permit to expire or to be canceled due to his own failure, then the amortization schedule will be canceled.

Project	Project Cost	Project Life	Year Completed	Yearly Amortized Deduction	Year Fully Amortized
Chaining	\$5,625.00	20	2009	\$281.25/year	2029

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 vegetation treatment and seeding fills a critical need to provide additional forage for livestock, protect watershed values, and enhance the value of the range. Pursuant to R850-50-600, the term for GP 21305-99 was extended two years under RIP 291. That extension should remain due to the permittee making the same investment under RIP 359.

Based on the above information and upon recommendation of Mr. Ron Torgerson, the Director canceled Range Improvement Project No. 291 and approved the implementation of Range Improvement Project No. 359. This summary will constitute the Record of Decision.

RANGE IMPROVEMENT PROJECT NO. 326 (WITHIN GP 22163-08)**APPLICANT'S NAME AND ADDRESS:**

Kurt H. Richins
P.O. Box 149
Henefer, UT 84033

LEGAL DESCRIPTION OF LANDS DIRECTLY AFFECTED:

T10S, R8W, SLB&M
Section 16: SW¼ (within)

COUNTY: Tooele

FUND: School

ACRES: 160.00

REQUESTED/PROPOSED ACTION:

The applicant has requested to reconstruct 2,500 feet of an old pipeline and spring water collection box, and to install a livestock water trough along the pipeline.

RELEVANT FACTUAL BACKGROUND:

On April 21, 2008, the applicant submitted a proposal for this range improvement project.

A search of Agency records was made to determine the status of the area involved. The only item on record is GP 22163-08, in the name of Casey Bassett, who has given verbal consent to the improvement. While this property is not within the permit held by the applicant, the new pipeline will benefit the applicant's adjacent allotment. The applicant owns the water right being used and the pipeline originates on the subject property. The trough that is being installed will be on the subject property for the benefit of the Agency and GP 22163-08.

Cultural clearance was completed through the BLM and approved by TLA cultural staff.

Following is a flat rate amortization schedule (NRCS Schedule) for this project if Trust Lands Administration cancels the grazing permit before these projects are fully amortized. If permittee sells or allows the permit to expire or to be canceled due to his own failure, then the amortization schedule will be canceled.

Project	Project Cost	Project Life	Year Completed	Yearly Amortized Deduction	Year Fully Amortized
Trough	\$1,200	10 years	2009	\$120.00/year	2019
Spring	\$5,000	50 years	2009	\$100.00/year	2058
Pipeline	\$1,875	20 years	2009	\$93.75/year	2029

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 project enhances the value of the range for domestic livestock.

Based on the above information and upon recommendation of Mr. Scott Chamberlain, the Director approved Range Improvement Project No. 326. This summary will constitute the Record of Decision.

RIGHTS OF ENTRY**RIGHT OF ENTRY NO. 5354 (APPROVAL)**

On July 6, 2009, the School and Institutional Trust Lands Administration received an application from SLM Corporation, DBA High Point Hummer & ATV Tours, P.O. Box 1191, 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: May 1, 2009. Expiration date: April 30, 2010. Funding: School = 96.67%, USU = 0.83%, Deaf = 0.16%, USH = < 0.01%, 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. 5354 for a one-year term.

RIGHT OF ENTRY NO. 5289 (APPROVAL)

On July 27, 2009, the School and Institutional Trust Lands Administration received an application from Montezuma Well Service, Inc., P.O. Box 540, Montezuma Creek, UT 84534, to occupy the following described trust land located within San Juan County to house a small butler building used for commercial storage of supplies:

Township 40 South, Range 24 East, SLB&M
Section 32:

Beginning at a point on the North right-of-way line of State Highway 262, from the S¼ Corner of said Sec. 32 bears N 68°35'08" W a distance of 815.10 feet and S 0°09'02" W a distance of 932.68 feet; thence S 68°35'08" E a distance of 183.99 feet along said North right-of-way line to a fence line and the prolongation thereof; thence N 20°21'12" E a distance of 193.38 feet along said fence line and the prolongation thereof to the North line of the deeded lease boundary of the property described herein; thence N 68°59'00" W a distance of 252.07 feet along said North deeded lease boundary to the prolongation of a fence line; thence S 0°54'40" W a distance of 204.56 feet along said fence line and prolongation thereof back to the point of beginning. Subject to all easements of record or prescriptive.

The permittee was the former lessee of SULA 1121, and the permittee of ROE 5211, which was for the same area and use. SULA 1121 expired July 31, 2008, and ROE 5211 expired July 31, 2009. Since the Trust Lands Administration is presently working under the 1933 Aneth Extension Act to relinquish its properties located in Montezuma Creek to the federal government, it was determined not to reissue a long term lease but rather to issue a new right of entry permit. This right of entry will be for a one-year term or until the property is conveyed out of Trust Lands' ownership, whichever is earlier.

The fee for this right of entry is \$3,200.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$3,300.00. San Juan County. School Fund. Beginning date: August 1, 2009. Expiration date: July 31, 2010, unless earlier terminated.

Upon recommendation of Ms. Jeanine Kleinke, the Director approved Right of Entry No. 5289 for a one-year term or until the property is conveyed, whichever is earlier.

RIGHT OF ENTRY APPLICATION NO. 5346 (WITHDRAWAL OF APPLICATION)

Northwest Pipeline GP, 295 Chipeta Way, Salt Lake City, Utah, 84108, has requested withdrawal of the above-referenced right of entry application. The applicant had requested to utilize trust lands for the purpose of a temporary workspace and staging area to be used in conjunction with the excavation and inspection of a section of buried natural gas pipeline. The applicant has now determined that they will be able to complete the necessary excavation and inspection of the pipeline by using only the existing pipeline right of way corridor and will no longer need the additional workspace and staging area.

An application fee in the amount of \$50.00 was submitted to Agency. The application fee is non-refundable and will, therefore, be forfeited to the Agency. San Juan County. School Fund.

Upon recommendation of Mr. Chris Fausett, the Director approved the above-described withdrawal of Right of Entry Application No. 5346.

EASEMENTS**EASEMENT NO. 611 (ASSIGNMENT)**

Questar Gas Company, 1140 West 200 South, P.O. Box 45360, Salt Lake City, Utah, 84145, has requested permission to assign 100% of its interest in Easement No. 611 to Questar Pipeline Company, 1140 West 200 South, P.O. Box 45360, Salt Lake City, Utah, 84145. Easement No. 611 was issued on June 21, 2000, for a service road, waterline, electrical transmission line and multiple gas pipelines.

When this easement was issued in 2000, an easement rental assessment of \$4,719.96 was paid. The easement rental assessment at today's rates would be \$7,342.18. Rule R850-40-1600(1)(c) directs that, in order for an assignment to be approved, the difference between what was originally paid for the easement and what would be charged for the same easement at today's rates be paid. The difference in the amount of \$2,622.22, along with the \$250.00 assignment fee, has been submitted to the Trust Lands Administration.

The expiration date of the easement remains December 31, 2029. Carbon County. School Fund.

Upon recommendation of Mr. Chris Fausett, the Director approved the assignment of Easement No. 611.

EASEMENT NO. 705 (ASSIGNMENT)

Questar Pipeline Company, 1140 West 200 South, P.O. Box 45360, Salt Lake City, Utah, 84145, has requested permission to assign 100% of its interest in Easement No. 705 to XTO Energy Inc., 810 Houston Street, Fort Worth, Texas, 76102. Easement No. 705 was issued effective October 1, 2001, for a 12-inch diameter natural gas pipeline.

When this easement was issued in 2001, an easement rental assessment of \$37,235.69 was paid. The easement rental assessment at today's rates would be \$65,282.47. Rule R850-40-1600(1)(c) directs that, in order for an assignment to be approved, the difference between what was originally paid for the easement and what would be charged for the same easement at today's rates be paid. The difference in the amount of \$28,046.78, along with the \$250.00 assignment fee, has been submitted to the Trust Lands Administration.

The expiration date of the easement remains December 31, 2031. Carbon and Emery Counties. School Fund.

Upon recommendation of Mr. Chris Fausett, the Director approved the assignment of Easement No. 705.

SPECIAL USE LEASE AGREEMENTS**SPECIAL USE LEASE AGREEMENT NO. 1603 (APPROVAL)**

APPLICANT'S NAME AND ADDRESS:

EV Solar 1, LLC
 Post Office Box 681060
 Park City, Utah 84068

APPLICATION TYPE: INDUSTRIAL

TERM: 30 YEARS, with options

BEGINNING DATE: August 1, 2009

ENDING DATE: July 31, 2039

NEXT REVIEW DATE: See below

INITIAL RENTAL: \$20,640.00

EXECUTION BONUS: \$68,800.00

APPLICATION FEE: \$ 250.00

PROCESSING FEE: \$ 700.00

ADVERTISING FEE: \$ 279.76

TOTAL SUBMITTED: \$90,669.76

LEGAL DESCRIPTION:

Township 35 South, Range 15 West, SLB&MSection 14: SW $\frac{1}{4}$ 160.00 acresSection 15: S $\frac{1}{2}$ 320.00 acres

Section 21: All 640.00 acres

Section 22: N $\frac{1}{2}$ 320.00 acresW $\frac{1}{2}$ SW $\frac{1}{4}$ 80.00 acresW $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ 40.00 acresSection 23: NW4 160.00 acres

TOTAL: 1,720.00 acres

COUNTY: Iron

ACRES: 1,720.00

FUND: School

PROPOSED ACTION:

The applicant proposes to construct, operate, repair, and maintain a commercial solar electric generating facility including, but not limited to, the construction, development, operation, and decommissioning of solar panels and all necessary support structures, underground and above-ground electrical transmission and communication lines related to the operation of the solar panels, electric transformers and substations, above-ground energy storage facilities, telecommunication equipment, roads, control buildings, maintenance yards and related facilities, and equipment that are useful for converting, maintaining, and capturing solar energy, solar energy development, and related solar energy development uses (collectively the "Project"). The Project is located on the surface estate owned by the Trust Lands Administration located in Iron County, described above. The lease term will be 30 years, with two additional ten (10) year extension options.

RELEVANT FACTUAL BACKGROUND:

The application was advertised in a paper of local circulation in Iron County. In addition, Iron County was notified of the action and a copy of the notice was sent to all lessees, permittees, and adjoining landowners. The required public notice process has been completed pursuant to the requirements of R850-30-500(2)(d) and R850-30-500(2)(e). There was one application received from Brad Hulet Farms, who currently holds the grazing permit on much of this property, for an agricultural special use lease. As the income potential is not compatible with a solar farm, this application was rejected.

SPECIAL USE LEASE AGREEMENT NO. 1603 (APPROVAL) (CONTINUED)

The Five County Association of Governments and the Iron County Commission were also notified. The Five County Association of Governments recommended approval of the project and indicated that the project conforms to the policy or planning of the multi-jurisdictional area it directly impacts. Regional policies support energy development that meets local land use permitting processes and procedures. The Iron County Commission reviewed the project and has no objections to the proposed lease. The County Commission further indicated that they encourage the development of any energy source that could possibly provide an economic benefit to the County and its citizens. The Resource Development Coordinating Committee ("RDCC") was contacted and had no comments.

A cultural resource survey has not been completed as of this date. Paragraph 5.6 of the lease provides that no surface disturbance will be permitted prior to a cultural resource survey and clearance approved by the Trust Lands Administration and the State Historic Preservation Office ("SHPO").

The proposed lease partially overlaps a Trust Geothermal Lease, ML 50766. The lessee of that lease, Intermountain Renewable Power LLC, has agreed to limit surface use on that lease for geothermal development to lands outside the footprint of SULA 1603. Intermountain has informed the Agency that it does not have near term development plans for ML 50766.

TERMS OF LEASE:

Execution Bonus:	\$68,800 (\$40/acre)
Term:	30 years. See paragraph 2.1.
Extension Options:	Two ten (10) year options to extend. See Paragraph 2.2.
Annual Minimum Rental:	\$20,640 (\$12/acre) – lease years 1-2. \$55,040 (\$32/acre) – lease years 3 and after.
Rental Adjustments:	Every five (5) years, based on Consumer Price Index, published by the U.S. Bureau of Labor Statistics, All Urban Consumers, Western Region Average, All Items (1982-84 = 100) – See Paragraph 3.1(c). First rental adjustment August 1, 2014.
Percentage Rent:	3% of gross revenues, offset by minimum rent. See Paragraph 3.2.
Lessor Option to Terminate for Failure to Build:	August 1, 2013, subject to extension. See Paragraph 2.3.
Deletion of Unused Lands:	Lease anniversary 10 and every five years thereafter. See Paragraph 2.4.
Insurance:	\$2 million liability insurance required, subject to adjustment. See Paragraph 7.3.
Assignment Criteria:	See Paragraph 8.1.
Early Term Assignments:	See Paragraph 8.5.
Notices to Lessee:	EV Solar 1, LLC Attn: Bob McClenahan P.O. Box 681060 Park City, UT 84068

SPECIAL USE LEASE AGREEMENT NO. 1603 (APPROVAL) (CONTINUED)

With a Copy to: Peter Mostow
 Wilson Sonsini Goodrich & Rosati
 701 Fifth Avenue, Suite 5100
 Seattle, WA 98104

The lease contains other negotiated provisions which should be reviewed in the event of question.

EVALUATION OF FACTS:

The Agency believes that the proposed lease is in the best interests of the Trust Beneficiaries. The initial annual rental provisions are within the parameters of R850-30-400(1)(a) based upon current interest rates and estimated market values for the subject lands. The proposed percentage rent will provide significant upside income potential to the Agency in the event that the lessee is able to permit and finance a solar electric generating facility. The lease contains negotiated provisions pursuant to which the Agency may terminate the lease if development does not occur, and reduce the lease footprint to the scope of actual development. In addition, the lease contains provisions requiring payment to the Agency in the event of early-term "flips" of the project not related to project financing. The proposed use is considered desirable compared to the current grazing use of the subject property and nearby agricultural uses, since it will result in substantially greater rental income.

The lease does conflict with an existing mineral lease, ML 50766. The lessee of that lease, Intermountain Renewable Power LLC, has agreed to limit surface use on that lease for geothermal development to lands outside the footprint of SULA 1603. Intermountain has informed the Agency that it does not have near term development plans for ML 50766. In addition, there are substantial portions of ML 50766 outside the footprint of SULA 1603 that will enable development of ML 50766 despite the surface use limitation. Under these circumstances, the Agency does not believe that SULA 1603 conflicts with R850-30-550(1)(b), which precludes surface leasing if the lease will create significant obstacles to future mineral development.

Upon recommendation of Mr. Kurt Higgins, the Director approved SULA 1603.

SPECIAL USE LEASE AGREEMENT NO. 1634 (APPROVAL)**APPLICANT'S NAME AND ADDRESS:**

Ute Energy, LLC
 P.O. Box 789
 7074 East 900 South
 Fort Duchesne, Utah 84026

APPLICATION TYPE: INDUSTRIAL
 TERMS: 30 years
 BEGINNING DATE: August 1, 2009
 ENDING DATE: July 31, 2039
 NEXT REVIEW DATE: August 1, 2014

FIRST YEAR RENTAL:	\$ 12,500.00
APPLICATION FEE:	\$ 250.00
LEASE PROCESSING:	\$ 700.00
<u>ADVERTISING FEE:</u>	<u>\$ 85.50</u>
TOTAL SUBMITTED:	\$ 13,535.50

LEGAL DESCRIPTION:

Township 9 South, Range 18 East, SLB&M
 Section 16: SW $\frac{1}{4}$ NW $\frac{1}{4}$ (within)

SPECIAL USE LEASE AGREEMENT NO. 1634 (APPROVAL) (CONTINUED)

Beginning at a point in the SW¹/₄NW¹/₄ of Section 16, T9S, R18E, SLB&M, which bears N 01°48'07" E 631.28 ft from the West Quarter Corner of said Section 16; thence S 89°33'54" E 466.72 ft; thence N 00°26'55" E 466.65 ft; thence N 89°52'56" W 469.46 ft; thence S 00°06'41" W 464.06 ft to the point of beginning. Basis of bearings is a GPS observation.

Containing 5.00 acres, more or less.

COUNTY: Uintah

ACRES: 5.00

FUND: School

PROPOSED ACTION:

The applicant proposes to construct, operate, and maintain a natural gas compressor facility, identified as the Three Rivers Phase III Compressor Facility. The term of the special use lease agreement will be 30 years.

RELEVANT FACTUAL BACKGROUND:

The facility will consist of a 5-acre compressor site that will transport gas from offset production areas into the recently installed Three Rivers pipeline operated by Questar Gas Management within Uintah County. The proposed Three Rivers Phase III compressor site will consist of up to five compressors and associated treating equipment. The facility will compress and treat existing production from the offset Federal, State, and Ute Indian Tribe lease holdings to more favorable markets in Utah and Colorado.

The Resource Development Coordinating Committee ("RDCC"), the Uintah Basin Association of Governments, and the Uintah County Commission were contacted on February 26, 2009. Comments were received from Utah Division of Air Quality and the Utah Geological Survey as follows:

Utah Division of Air Quality:

"The proposed construction and operation of a natural gas compressor station in Uintah County, will require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. 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 W., 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 on-line 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/codoe/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."

SPECIAL USE LEASE AGREEMENT NO. 1634 (APPROVAL) (CONTINUED)**The Uintah County Commission also provided the following comments:**

"Ground disturbance, increase in traffic, equipment, dust, and noise emissions during construction should be kept at a minimum.

"Please contact the Uintah County Planning/Building & Zoning Department for the necessary County permits, and the Uintah County Road Department for permits and regulations when encroaching onto County roads."

A cultural survey was completed by Montgomery Archaeological Consultants, State of Utah Antiquities Project No. U-04-MQ-0109s. The report is dated April 16, 2004, and titled, "CRI for Inland Resources of Sections 2 & 16, T9S, R18E, on Eight Mile Flat in Uintah County, Utah." No sites were located in the proposed lease area; therefore, no further cultural work is required. Cultural clearance is given with a finding of "no historic properties affected by this lease action."

A paleontological survey was conducted by Stephen D. Sandau, paleontologist for Intermountain Paleo-Consulting on February 17, 2008. The report, Number 09-38, is dated March 2, 2009. No vertebrate fossils were discovered during the survey. Therefore, it is recommended that no paleontological restrictions be placed on the development of the project. Should fossil material be discovered during construction, a qualified paleontologist should be contacted to evaluate the discovery.

EVALUATION OF FACTS:

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

The proposed beginning annual rental of \$12,500.00 is consistent with market value. The lease will have a clause providing for escalation of the annual rental at the end of each five-year period utilizing the approved index. The term of the lease will be 30 years.

This action 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 1634 with a beginning base rental of \$12,500.00. The term of the lease will be 30 years, with a five-year rental review pursuant to R850-30-400.

SPECIAL USE LEASE AGREEMENT NO. 1254 - AMENDMENT NO. 1 (APPROVAL)

SULA 1254 is a telecommunications lease issued to Cedar City Corporation, Cedar City Police Department, 10 North Main Street, Cedar City, UT 84720-2635. The lease was originally issued for a 10-year term, commencing August 1, 1999, and expiring July 31, 2009, for one small tower for police and public safety communications for Cedar City. The lease is located in Iron County. School Fund.

PROPOSED ACTION:

1. Extend the term of the lease an additional ten years, with a new expiration date of July 31, 2019.
2. Amend (correct) the legal description of the tower site. The legal description will be replaced with the following corrected description:

Township 36 South, Range 11 West, SLB&M

Section 15: Within NE4SW4SW4 as more specifically described below:

Beginning at a point N 89°25'24" E, 1306.70 ft. along the section line and North, 1128.80 ft. from the Southwest Corner of Section 15, T36S, R11W, SLM; Thence N 27°06'14" W, 16.17 ft.; Thence N 62°53'46" E, 17.50 ft.; Thence S 27°06'14" E, 16.17 ft.; Thence S 62°53'46" W, 17.50 ft. more or less to the point of beginning.

Containing approximately 0.0065 of an acre, more or less.

This legal description was prepared by the SITLA GIS staff July 13, 2009, using NAIP 2006 color aerial photography and May 2006 PLSS-GCDB as reference data by way of heads-up digitizing methods. The coordinate and distance calls recorded within this legal description are for REFERENCE USE ONLY and are NOT to be used in place of a legal land survey. The Utah School and Institutional Trust Lands Administration (SITLA) IT/GIS Department assume no responsibility for errors or omissions in these materials. SITLA IT/GIS Department hereby disclaims any and all liability due to the use or misuse of this parcel description. The user assumes total responsibility for verification and use.

RELEVANT FACTUAL BACKGROUND:

This lease is used by the Cedar City Police Department and provides emergency radio to the police and fire departments and related public safety radio users in Cedar City. No new disturbance or construction is expected to occur. The site will simply be used another ten years for the same purpose.

R850-30-1000 provides for amendments of special use leases based on a written finding that the amendment is consistent with R850-2, and upon payment of an amendment fee. The amendment fee of \$400.00 has been submitted.

Annual rental for the next five-year period will be \$1,900.00. The lessee has submitted this amount for the lease year beginning August 1, 2009. The lease will be amended to provide for rental review on August 1, 2014.

Telecommunication leases are normally issued for a term of up to 20 years. The original lease term was 10 years, and the requested extension will provide for a total lease term of 20 years.

Upon recommendation of Mr. Gary Bagley, the Director approved Amendment No. 1 to Special Use Lease Agreement No. 1254, as described above.

SPECIAL USE LEASE APPLICATION NO. 1470 (CANCELLATION)

The above numbered special use lease application was filed on December 22, 2005, by San Juan County, P.O. Box 9, Monticello, UT 84535. It was accepted for processing on January 17, 2006. The application was to utilize two sections of trust land as a recreational OHV open riding area in conjunction with adjoining BLM land. Processing of the application proceeded and was advertised pursuant to rule. The County then requested that the processing of the application be suspended pending the completion of the RMP being done by the BLM. This plan has now been completed and has further complicated the ability of the County to complete this application as they intended. The County has requested that this application be canceled. The County is still very interested in this recreation project with the BLM and the Agency. They intend to work with the Agency on a new application at such time as they are able to develop a viable plan with the BLM.

Pursuant to rule, the \$250.00 application fee and \$50.00 advertising fee are forfeited to the Agency. San Juan County. School Fund.

Upon recommendation of Mr. Lou Brown, the Director canceled SULA 1470, and ordered the forfeiture of the application and advertising fees.

SALES**PRE SALE NO. 8455 - GOLD CREEK SUBDIVISION**

The following land has been approved for residential development under Second Amended Special Use Lease Agreement No. 396 ("SULA 396").

Township 33 South, Range 11 East, SLB&M

Garfield County

School Fund

A parcel of land located in the South ½ of Section 36, being more particularly described as follows:

Beginning at the southeast corner of said Section 36; thence N 00°00'00" E 1104.85 feet to the northeast corner of said parcel; thence N 90°00'00" W 134.84 feet; thence N 68°41'17" W 388.57 feet; thence N 74°03'35" W 808.74 feet; thence S 87°00'39" W 359.15 feet; thence N 14°43'11" E 112.27 feet; thence N 37°39'19" W 260.89 feet; thence S 72°33'10" W 273.24 feet; thence N 17°26'50" W 40.00 feet; thence N 72°15'55" W 147.52 feet; thence S 17°26'50" E 125.00 feet; thence S 72°33'10" W 197.26 feet; thence S 83°39'36" W 50.00 feet; thence along a curve to the right 120.12 feet having a radius of 194.45 feet whose chord bears S 11°21'26" W 118.22 feet; thence S 29°03'16" W 22.89 feet; thence along a curve to the left 83.48 feet having a radius of 70.08 feet whose chord bears S 05°04'15" E 78.63 feet; thence S 50°48'13" W 99.92 feet; thence S 17°15'47" E 122.65 feet; thence along a curve to the left 86.58 feet having a radius of 264.53 feet whose chord bears S 85°15'21" W 86.20 feet; thence S 77°52'44" W 35.09 feet; thence S 24°57'00" W 135.69 feet; thence N 87°53'25" W 256.70 feet; thence N 78°14'02" W 50.00 feet; thence S 11°45'58" W 428.68 feet; thence along a curve to the left 89.38 feet with a radius of 175.00 feet whose chord bears S 02°51'54" E 88.41 feet; thence S 72°14'05" W 220.00 feet; thence S 04°04'58" E 498.62 feet; thence S 90°00'00" E 3186.19 feet to the Point of Beginning. Said parcel of land containing 96.74 acres, more or less.

This legal description has been reviewed and approved by GIS.

PRE SALE NO. 8455 - GOLD CREEK SUBDIVISION (CONTINUED)

This land has been subdivided and is known as "Gold Creek Subdivision, Filing No. 1." The subdivision plat was approved on August 31, 1979, by William Dinehart, Director of the Division of State Lands, predecessor agency to the Trust Lands Administration, and filed with the Garfield County Clerk and Recorder's Office on December 11, 1979, Reception No. 179297. A replat of the subdivision was filed with Garfield County on May 12, 1982, Reception No. 187561. Another replat of the subdivision was filed with Garfield County on February 15, 1983, Reception No. 190058. The subdivision contains 165 lots and 8 tracts, as well as several roads. The lots are now ready for sale and will be sold pursuant to the provisions of SULA 396.

Block 1:

Lot 1	0.25 acres	Lot 10	0.25 acres	Lot 19	0.27 acres	Lot 28	0.25 acres
Lot 2	0.25 acres	Lot 11	0.25 acres	Lot 20	0.28 acres	Lot 29	0.50 acres
Lot 3	0.25 acres	Lot 12	0.50 acres	Lot 21	0.30 acres	Lot 30	0.99 acres
Lot 4	0.25 acres	Lot 13	0.50 acres	Lot 22	0.27 acres	Lot 31	0.50 acres
Lot 5	0.25 acres	Lot 14	0.25 acres	Lot 23	0.27 acres	Lot 32	0.73 acres
Lot 6	0.25 acres	Lot 15	0.25 acres	Lot 24	0.27 acres	Lot 33	0.50 acres
Lot 7	0.50 acres	Lot 16	0.25 acres	Lot 25	0.25 acres	Lot 34	0.50 acres
Lot 8	0.25 acres	Lot 17	0.25 acres	Lot 26	0.25 acres		
Lot 9	0.25 acres	Lot 18	0.27 acres	Lot 27	0.25 acres		

Block 2:

Lot 1	0.25 acres	Lot 4	0.26 acres	Lot 7	0.27 acres
Lot 2	0.25 acres	Lot 5	0.26 acres	Lot 8	0.27 acres
Lot 3	0.25 acres	Lot 6	0.27 acres	Lot 9	0.27 acres

Block 3:

Lot 1	0.25 acres	Lot 4	0.25 acres	Lot 7	0.25 acres
Lot 2	0.25 acres	Lot 5	0.23 acres	Lot 8	0.25 acres
Lot 3	0.25 acres	Lot 6	0.25 acres	Lot 9	0.25 acres

Block 4:

Lot 1	0.32 acres	Lot 4	0.26 acres	Lot 7	0.25 acres	Lot 10	0.25 acres
Lot 2	0.26 acres	Lot 5	0.25 acres	Lot 8	0.25 acres	Tract E	2.54 acres
Lot 3	0.26 acres	Lot 6	0.28 acres	Lot 9	0.25 acres		

Block 5:

Lot 1	0.56 acres	Lot 6	0.59 acres	Lot 11	0.49 acres	Lot 16	0.35 acres
Lot 2	0.50 acres	Lot 7	0.58 acres	Lot 12	0.52 acres	Lot 17	0.25 acres
Lot 3	0.50 acres	Lot 8	0.61 acres	Lot 13	0.53 acres	Lot 18	0.33 acres
Lot 4	0.49 acres	Lot 9	0.59 acres	Lot 14	0.25 acres	Lot 19	0.25 acres
Lot 5	0.50 acres	Lot 10	0.53 acres	Lot 15	0.31 acres	Tract B	1.80 acres

PRE SALE NO. 8455 - GOLD CREEK SUBDIVISION (CONTINUED)

Block 6:

Lot 1	0.24 acres	Lot 15	0.70 acres	Lot 29	0.50 acres	Lot 43	0.44 acres
Lot 2	0.28 acres	Lot 16	0.60 acres	Lot 30	0.50 acres	Lot 44	0.53 acres
Lot 3	0.27 acres	Lot 17	0.64 acres	Lot 31	0.50 acres	Lot 45	0.61 acres
Lot 4	0.36 acres	Lot 18	0.61 acres	Lot 32	0.50 acres	Lot 46	0.50 acres
Lot 5	0.28 acres	Lot 19	0.59 acres	Lot 33	0.50 acres	Lot 47	0.50 acres
Lot 6	0.26 acres	Lot 20	0.58 acres	Lot 34	0.74 acres	Lot 48	0.63 acres
Lot 7	0.26 acres	Lot 21	0.51 acres	Lot 35	0.50 acres	Lot 49	0.58 acres
Lot 8	0.26 acres	Lot 22	0.51 acres	Lot 36	0.50 acres	Lot 50	0.53 acres
Lot 9	0.24 acres	Lot 23	0.50 acres	Lot 37	0.50 acres	Lot 51	0.53 acres
Lot 10	0.33 acres	Lot 24	0.50 acres	Lot 38	0.54 acres	Tract A	2.86 acres
Lot 11	0.72 acres	Lot 25	0.53 acres	Lot 39	0.57 acres	Tract C	0.78 acres
Lot 12	0.54 acres	Lot 26	0.50 acres	Lot 40	0.50 acres	Tract F	0.50 acres
Lot 13	0.91 acres	Lot 27	0.47 acres	Lot 41	0.50 acres	Tract G	0.12 acres
Lot 14	0.69 acres	Lot 28	0.50 acres	Lot 42	0.50 acres		

Block 7:

Lot 1	0.54 acres	Lot 4	0.50 acres	Lot 7	0.79 acres	Lot 10	0.50 acres
Lot 2	0.78 acres	Lot 5	0.50 acres	Lot 8	0.50 acres	Lot 11	0.50 acres
Lot 3	0.50 acres	Lot 6	0.50 acres	Lot 9	0.57 acres		

Block 8:

Lot 1	0.56 acres	Lot 7	0.72 acres	Lot 13	0.50 acres	Lot 19	0.47 acres
Lot 2	0.53 acres	Lot 8	0.58 acres	Lot 14	0.50 acres	Lot 20	0.46 acres
Lot 3	0.53 acres	Lot 9	0.52 acres	Lot 15	0.53 acres	Lot 21	0.55 acres
Lot 4	0.53 acres	Lot 10	0.50 acres	Lot 16	0.49 acres	Lot 22	0.58 acres
Lot 5	0.50 acres	Lot 11	0.50 acres	Lot 17	0.52 acres	Tract D	0.80 acres
Lot 6	0.53 acres	Lot 12	0.50 acres	Lot 18	0.66 acres	Tract H	0.10 acres

TOTALS

Lot		Tract		Road	
Acreeage:	71.11 acres	Acreeage:	9.50 acres	Acreeage:	16.13 acres

It should be noted that all roads within the subdivision were dedicated to Garfield County on the replat of the subdivision recorded on May 12, 1982. The road dedication will be addressed in a separate minute entry.

The replat recorded on February 15, 1983, notes the following easements and purposes of identified tracts within the subdivision:

1. Tracts A, B, C, and D contain natural drainageways. These drainageways shall be considered "drainage easements."
2. Tract E shall be used for open space, recreational facilities, including buildings and outdoor facilities. This may include, but not be limited to the following: swimming facilities, tennis courts, racketball courts, community facilities, and parking facilities.

PRE SALE NO. 8455 - GOLD CREEK SUBDIVISION (CONTINUED)

3. Tract F shall be used for open space, recreational facilities, and utility and drainage facilities.
4. Lettered Tract G is for the purpose of an easement as shown hereon for a private drive and utilities, together with the construction and maintenance thereof appurtenant to Lots 23, 14, 15, and 16, Block 6.
5. Lettered Tract H is for the purpose of an easement as shown hereon for a private drive and utilities, together with the construction and maintenance thereof appurtenant to Lots 15, 17, and 20, Block 8.
6. There shall be a 20 ft. easement for access, ingress and egress for a private drive and utilities, and the construction thereof, over Lot 37, Block 6 for the benefit of Lot 36, Block 6.
7. There shall be a 10 ft. easement for public right-of-way as shown hereon over Lot 11, 12, 14, and 15, Block 6.

Additionally, the replat recorded on February 15, 1983, shows a utility easement reservation, being 10.0 feet wide around the entire perimeter of each lot.

The individual lot sales will be reported on the Director's Minutes as the sales occur, using the following description:

All of Lot ____, Block ____ as described in the replat of Gold Creek Subdivision Filing No. 1, a portion of the S½ of Section 36, T33S, R11W, SLB&M, Garfield County, Utah, recorded February 15, 1983, Reception No. 190058.

The lots shall be sold subject to the following reservations:

1. Excepting and reserving to the State of Utah all coal and other mineral deposits, along with the right of the Trust Lands Administration or other authorized persons to prospect for, mine, and remove the deposits.
2. Excepting and reserving to the State of Utah all interest in that certain Water Right No. 95-452.
3. Excepting and reserving to the State of Utah an easement across the property for the benefit of the Trust Lands Administration, its successors in interest, assigns, permittees and lessees, as may be necessary and reasonable to access lands administered by the School and Institutional Trust Lands Administration.
4. Subject to any valid, existing right-of-way of any kind and any right, interest, reservation or exception appearing of record, including reservations of the federal government contained in Federal Patents or Clear Lists.
5. 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.
6. Subject to the reservation of a 10.0 ft wide utility easement around the perimeter of each lot, as noted on the replat dated February 15, 1983.

This item was submitted by Ms. Diane Durrant for record-keeping purposes.

DEVELOPMENT SALE - CANYON RIDGE P.U.D. (PS 8168) (CONTINUED)

MINERAL LEASES GIVEN UP: None

SURFACE LEASES GIVEN UP: None

LIST MINERAL RESERVATIONS:

Excepting and reserving 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.

COMMENTS:

Subject to the Declaration of Covenants, Conditions and Restrictions for the Canyon Ridge Planned Unit Development as recorded on June 11, 2004, as Entry 487260, Book 937, Page 1577.

This item was submitted by Andrea L. James for record-keeping purposes.

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

LOT SALE DESCRIPTION:

Desc /	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acreage	Fund	Section
Lot 163	26377-10-163	08/03/09	19928-10-163	07/07/06	\$ 7,920.91	\$20.00	0.16	SCH	7
Lot 199	26377-10-199	07/17/09	19928-10-199	07/07/06	\$13,515.55	\$20.00	0.33	SCH	7
Lot 205	26377-10-205	07/21/09	19928-10-205	07/07/06	\$13,515.55	\$20.00	0.28	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.

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

THE FOLLOWING SALE HAS BEEN EXECUTED AND A PATENT ISSUED FOR:

SUBD 15.0 Estates At Hidden Valley Phase 2

This transaction has been executed pursuant to Development Lease DEVL 754.

LEGAL DESCRIPTION: (SUBDIVISION)

Section 18, Township 43.0 S, Range 15.0 W, SLBM

PURCHASER:

IVORY SOUTHERN, LLC
3143 SOUTH 840 EAST
SAINT GEORGE, UT 84790

LOT SALE DESCRIPTION:

Desc /	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acreage	Fund	Section
Lot 79	26441-15-79	07/21/08	20034-15-79	01/11/08	\$30,250.00	\$100.00	0.16	SCH	18

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.

This item was submitted for record-keeping purposes by Andrea L. James.

DEVELOPMENT SUBDIVISION SALE

THE FOLLOWING SALE HAS BEEN EXECUTED AND A PATENT ISSUED FOR:

PRESALE NO.:	7461
CERTIFICAT OF SALE NO.:	24828
DATE OF SALE:	July 6, 2009
PATENT NO.:	20144
PATENT DATE:	May 4, 2009
PROJECT NO.:	Ticaboo Mobile Home Subdivision
PROJECT CODE:	TCABO 001 00
COUNTY:	Garfield
PROJECT MANAGER:	Alexa Wilson
FUND:	School
SALE PRICE:	\$3,777.00
PROCESSING FEE	\$100.00

PURCHASER:

URANIUM ONE TICABOO, INC.
390 BAY STREET, SUITE 1610
TORONTO ON, M5H 2Y2
CANADA

This transaction has been executed pursuant to Development Lease DEVL 2.

LEGAL DESCRIPTION:

Township 36 South, Range 11 East, SLB&M
Section 16:

All of Lots 128 and 130 of the Ticaboo Subdivision Plat IV (Amended), according to the plat of record on December 26, 1979, as Entry 179398, et. seq., records of Garfield County, Utah.

Containing 0.18 acres, more or less

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 for public utilities and incidental purposes over the front and rear five feet of said property as set forth on the recorded plat; 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; also,

Subject to the Declaration of Covenants, Conditions and recorded on April 26, 1983, as Entry 190433, Book 279, Pages 575-586, and as amended, recorded September 28, 1999, as Entry 221695, Book 349, Pages 252-264, Official Garfield County Records.

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

DEVELOPMENT EASEMENT NO. 1496 - RETENTION POND - STORM DRAINAGE PIPE EASEMENT (APPROVAL)

EASEMENT NO.: 1496
 PROJECT: Price Fair Grounds - Carbon County
 PROJECT CODE: PRFGD 000 00
 PROJECT MANAGER: Kay Burton
 COUNTY: Carbon
 FUND: School
 TERM: Perpetual

GRANTEE:

CARBON COUNTY
 120 East Main Street
 Price, UT 84501

DESCRIPTION OF TRANSACTION:

In August 2001, Carbon County bought two parcels within the Price Fairgrounds development. The County subsequently determined that the parcels were not served by storm water infrastructure, nor did the site have a logical location for a storm water retention pond. Because a storm water retention basin was also directly necessary for the development of the remaining 30 acres that are still in Trust ownership, the Trust Lands Administration and the County agreed that the County would construct a retention pond on trust lands and in exchange the Trust Lands Administration would grant the County a perpetual easement for the use of the pond and a drainage pipeline leading to the pond. The Trust Lands Administration agreed to convey the retention pond easement without compensation because the retention pond was necessary to achieve the optimal value for the remaining parcel of Trust land. Furthermore, the cost of constructing the pond and the value added to the Trust's remaining lands with the construction of the retention pond exceeded the fair market cost of the easement. Carbon County's costs to engineer and construct the basin, sized to serve the entire development, were approximately \$4,000. In comparison, the cost of the 750-foot pipeline easement is \$552 (46 rods x \$12). Due to an oversight by the parties, the agreement was never memorialized; however, the County built the pond and pipeline in late 2001 or 2002.

Recently, Carbon County discovered that the drainage pipeline needed to be re-aligned and the retention pond enlarged to ensure proper drainage. The County now requests that the Trust Lands Administration formally grant it an Easement, memorializing the parties' original agreement and incorporating provisions for the County to enlarge the retention pond, re-locate the pipeline, and reclaim the lands on which the pipeline was originally located. The Agency recently surveyed this 32-acre parcel and only one historic property was found within the overall parcel, the old Carbon Canal. Since the easement does not affect that National Register-eligible historic site, compliance with Utah Code Ann. § 9-8-404 for the proposed undertaking has been secured.

LEGAL DESCRIPTION (retention basin and re-located pipe line easement):

Township 14 South, Range 10 East, SLB&M
 Section 19: Within

Beginning at a point S89°48'52"W, 140.31 feet, and South, 330.42 feet, and S89°48'09"W, 396.65 feet from the Northeast corner of Section 19, T14S, R10E, SLB&M, Carbon County, Utah, said point being the Northwest corner of County Parcel 2-1074-17; thence South 20.00 feet; thence S89°48'25"W, 426.89 feet; thence South, 89.86 feet; thence West, 175.00 feet; thence North, 245.00 feet; thence East, 175.00 feet; thence South, 135.14 feet; thence N89°48'25"E, 426.89 feet to the point of beginning.

Containing 1.18 acres.

DEVELOPMENT EASEMENT NO. 1496 - RETENTION POND - STORM DRAINAGE PIPE EASEMENT (APPROVAL) (CONTINUED)

LEGAL DESCRIPTION (original pipeline, to be reclaimed):

Township 14 South, Range 10 East, SLB&M
Section 19: (within)

Beginning at a point S89°48'52"W, 140.31 feet, and South, 330.42 feet, and S89°48'09"W, 396.65 feet from the Northeast corner of Section 19, T14S, R10E, SLB&M, Carbon County, Utah, said point being the Northwest corner of County Parcel 2-1074-17; thence N89°48'09"W, 213 feet, and N70°36'41"W, thence N38°38'56"E, 27 feet, thence N0°W, 176.4 feet, thence N89°50'27"E, 142 feet, thence S0°14'40"W, 176.77 feet, N89°48'26"W, 117 feet, thence S36°18'44"W, 55.30 feet, thence N70°38'9"W, 258.45 feet, N89°46'59"W, 208 feet, thence N1°56'12"W, 20.4 feet to the point of beginning.

Containing approximately 0.8 acres.

NUMBER OF ACRES BY COUNTY: 1.18 acres - Carbon County

NUMBER OF ACRES BY FUND: 1.18 acres - School

Upon recommendation of Kay Burton, the Director approved this Easement.

ACTIONS CONTAINING FEE WAIVERS

SPECIAL USE LEASE AGREEMENT NO. 396 – SECOND AMENDMENT (CORRECTION OF LEGAL DESCRIPTION)

The above numbered SULA is issued to Gold Creek Development Corporation, for use as a recreational home site subdivision. An amendment to the lease was approved by the Director on December 21, 2007. During preparation for the sale of properties authorized under this amendment, staff found that the legal description being used was incorrect and outdated. The correct legal description was on the approved plat filed with Garfield County on February 15, 1983, which was not in the Agency's file. An approved plat with the correct legal has been received from Garfield County.

The following legal description is incorrect [note: all typographical errors in this description are listed as they are currently shown on the lease document]:

Township 33 South, Range 11 East, SLB&M
Section 36:

A parcel of land located in the south 1/2 of Section 36, T 33 S, R 11 E, Salt Lake P.M., County of Garfield, State of Utah, more particularly described as follows.

Beginning at the southeast corner of said Section 36; thence N 00°00'00" E, 940.74 feet; thence N 39°24'32" W, 212.39 feet; thence N 68°41'17" W, 388.57 feet; thence N 74°03'35" W, 808.74 feet; thence S 87°00'39" W, 359.15 feet; thence N 14°43'11" E, 112.27 feet; thence N 37°39'19" W, 260.89 feet; thence S 72°33'10" W,

SPECIAL USE LEASE AGREEMENT NO. 396 – SECOND AMENDMENT (CORRECTION OF LEGAL DESCRIPTION) (CONTINUED)

591.08 feet; thence S 83°39'35" W, 50.00 feet; thence along a curve to the right 120.12 feet having a radius of 194.45 feet whose chord bears S11°21'26" W, 118.22 feet; thence S 29°03'17" W, 22.89 feet; thence along a curve to the left 83.48 feet having a radius of 70.08 feet whose chord bears S 05°04'15" E, 78.63 feet; thence S 50°48'13" W, 99.92 feet; thence S 17°15'47" E, 112.65 feet; thence along a curve to the left 86.58 feet having, a radius of 264.53 feet whose chord bears S 85°15'21" W, 86.20 feet; thence S 77°52'44" W, 35.09 feet; thence S 24°57'00" W, 135.69 feet; thence N 87°53'25" W, 256.70 feet; thence N 78°14'02" W, 50.00 feet; thence S 11°45'58" W, 428.68 feet; thence along a curve to the left 89.38 feet with a radius of 175.00 feet whose chord bears S 02°51'54" E, 88.41 feet; thence S 72°14'05" W, 220.00 feet; thence S 04°04'58" E, 498.62 feet; thence S 90°00'00" E, 3186.19 feet to the Point of Beginning. Said parcel of land containing 96.26 acres, more or less.

The following legal description is correct and replaces the above description in its entirety:

Township 33 South, Range 11 East, SLB&M

Garfield County

School Fund

A parcel of land located in the South ½ of Section 36, being more particularly described as follows:

Beginning at the southeast corner of said Section 36; thence N 00°00'00" E 1104.85 feet to the northeast corner of said parcel; thence N 90°00'00" W 134.84 feet; thence N 68°41'17" W 388.57 feet; thence N 74°03'35" W 808.74 feet; thence S 87°00'39" W 359.15 feet; thence N 14°43'11" E 112.27 feet; thence N 37°39'19" W 260.89 feet; thence S 72°33'10" W 273.24 feet; thence N 17°26'50" W 40.00 feet; thence N 72°15'55" W 147.52 feet; thence S 17°26'50" E 125.00 feet; thence S 72°33'10" W 197.26 feet; thence S 83°39'36" W 50.00 feet; thence along a curve to the right 120.12 feet having a radius of 194.45 feet whose chord bears S 11°21'26" W 118.22 feet; thence S 29°03'16" W 22.89 feet; thence along a curve to the left 83.48 feet having a radius of 70.08 feet whose chord bears S 05°04'15" E 78.63 feet; thence S 50°48'13" W 99.92 feet; thence S 17°15'47" E 122.65 feet; thence along a curve to the left 86.58 feet having a radius of 264.53 feet whose chord bears S 85°15'21" W 86.20 feet; thence S 77°52'44" W 35.09 feet; thence S 24°57'00" W 135.69 feet; thence N 87°53'25" W 256.70 feet; thence N 78°14'02" W 50.00 feet; thence S 11°45'58" W 428.68 feet; thence along a curve to the left 89.38 feet with a radius of 175.00 feet whose chord bears S 02°51'54" E 88.41 feet; thence S 72°14'05" W 220.00 feet; thence S 04°04'58" E 498.62 feet; thence S 90°00'00" E 3186.19 feet to the Point of Beginning. Said parcel of land containing 96.74 acres, more or less.

This description has been verified by GIS to be correct.

As the correct legal was part of the original plat but was not used in the documentation of the lease, the \$400.00 amendment fee will be waived as this is an Agency-initiated action and no fault of the lessee.

Although lease amendments are not specifically exempted from the narrative Record of Decision process, it has been determined that this action is not substantive, nor does it warrant the time and expense necessary to complete a full narrative record.

Upon recommendation of Mr. Lou Brown, the Director approved the amendment to correct the legal description on SULA 396.