

NOVEMBER 8, 2010

THE DIRECTOR OF THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION TOOK FORMAL ACTION ON NOVEMBER 8, 2010, IN THE TRUST LANDS ADMINISTRATION OFFICE, 675 EAST 500 SOUTH, SUITE 500, SALT LAKE CITY, UTAH 84102-2818, ON THE MINERAL, SURFACE, AND FEE WAIVER BUSINESS MATTERS AS INDICATED AND WHICH BECOME EFFECTIVE AT 6:00 P.M. ON NOVEMBER 8, 2010.

THESE MINUTES INCLUDE MINERAL ACTIONS AS LISTED ON PAGES 1 TO 4; SURFACE ACTIONS AS LISTED ON PAGES 5 TO 29; AND ACTIONS CONTAINING FEE WAIVERS AS LISTED ON PAGE 29.

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, NOVEMBER 22, 2010. 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

APPROVAL OF MINERAL MATERIALS PERMIT APPLICATION (SCH)

William Bown, 842 West 400 North, has submitted application for a Mineral Materials Permit to harvest quartzite stone from the following described trust lands in Box Elder County. These are lands on which the applicant previously held a Mineral Materials Permit for quartzite which is expired. Mr. Bown desires to continue his stone gathering operations on the same lands under a new permit and has paid all obligations accruing to the Trust Lands Administration under the expired permit. The surface is owned by SITLA and the only other current usage is for grazing. The lands are remotely located high on the west slope of the Grouse Creek Mountains. Harvesting of the stone consists of picking surface boulders from rockslides scattered upon the steep and rugged terrain. Terms and conditions for the new permit are listed below. The applicant has submitted a cashier's check in the amount of \$7,000 to pay the \$100 application fee plus the required annual rentals and advance minimum royalties for the first year of the permit. The permit administrator has had the lands checked by the GIS Group.

<u>ML 51886 MP</u>	<u>T12N, R17W, SLB&M</u>	Box Elder
William Bown	SEC. 2: LOTS 1(46.17), 2(46.15), 3(46.13), 4(46.11),	344.56 acres
842 West 400 North	S½N½	
West Bountiful, UT 84087		

Mineral Commodity:	Quartzite Building Stone
Production Royalty Rate:	\$15/short ton or 10% of gross sales, whichever is greater
Term of Permit:	Five (5) years
Annual Minimum Royalty:	\$10 per acre
Annual Rental:	\$10 per acre

Upon recommendation of Mr. Blake the Director approved the application.

METALLIFEROUS MINERALS LEASE APPROVAL

Upon recommendation of Mr. Stokes, the Director approved the Metalliferous Minerals Lease application listed below at a minimum annual rental rate of \$500 per lease or \$1 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% for fissionable minerals and 4% for non-fissionable minerals - based on the gross value of the ore. The land status has been examined utilizing both the digital 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 digital plat books have been updated to show the lease application as an existing contract on the lands described below:

<u>ML 51883</u>	<u>T30S, R15W, SLB&M.</u>	Beaver
Newmont North America	SEC. 32: ALL	640.00 Acres
Exploration Ltd.		
1655 Mountain City Highway		
Elko, NV 89801		

Annual Rental: \$640

FUND: SCH

METALLIFEROUS MINERALS LEASE PARTIAL APPROVAL AND REFUND

Upon recommendation of Mr. Stokes, the Director partially approved the Metalliferous Minerals Lease application listed below at a minimum annual rental rate of \$500 per lease or \$1 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% for fissionable minerals and 4% for non-fissionable minerals - based on the gross value of the ore. The land status has been examined utilizing both the digital plat books and the business system and the lands were found to be partially 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 digital plat books have been updated to show the lease application as an existing contract on the lands described below:

Approved Lands:

<u>ML 51884</u>	<u>T12S, R12W, SLB&M.</u>	Juab
Zachary Henderson	SEC. 16: ALL	800.00 Acres
6121 Lakeside Drive, # 260	SEC. 36: E½E½	
Reno, NV 89511		

Annual Rental: \$800

FUND: SCH

Rejected Lands:

<u>T12S, R12W, SLB&M</u>	Juab
SEC. 32: ALL	640.00 Acres

The rejected land is included in Metalliferous Minerals Leases ML 19761 and 19762. As the advanced annual rental for the rejected land accompanied the application for Metalliferous Minerals Lease ML 51884, the first year annual rental for the rejected land, in **the amount of \$640, should be refunded** to the party who submitted the advanced annual rental. The **refund** should be payable to: David L. Trueman, 5360 Bunting Avenue, Richmond, British Columbia V7E 5W1.

Upon recommendation of Mr. Stokes, the Director approved the lands listed in the above-numbered lease and the refund of the \$640 advance rental on the rejected portion of the application as listed.

TOTAL ASSIGNMENT – OIL, GAS, AND HYDROCARBON LEASES

Upon recommendation of Ms. Garrison, the Director approved the assignment of the leases listed below to Twin Bridges Resources LLC, 475 17th Street, Suite 900, Denver, CO 80202, by Bill Barrett Corporation. No override.

OWNERSHIP BEFORE ASSIGNMENT:	OWNERSHIP AFTER ASSIGNMENT:
<i>RECORD TITLE:</i>	<i>RECORD TITLE:</i>
<i>BILL BARRETT CORPORATION - 100%</i>	<i>TWIN BRIDGES RESOURCES LLC - 100%</i>

....ML 49844 (SCH)....ML 48945 (SCH)....ML 49846 (SCH)....ML 50097 (SCH)....ML 50430 (SCH)....

INTEREST ASSIGNMENT – OIL, GAS, AND HYDROCARBON LEASE

Upon recommendation of Ms. Garrison, the Director approved the assignment of 50% interest in and to the lease listed below to Wasatch Oil & Gas, LLC, 1010 North 500 East, Suite 320, North Salt Lake, UT 84054, by Stonegate Resources, LLC. No override.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

STONEGATE RESOURCES, LLC - 100%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

***STONEGATE RESOURCES, LLC - 50%,
WASATCH OIL & GAS, LLC - 50%***

...ML 51360 (SCH)....

OPERATING RIGHTS ASSIGNMENT – OIL, GAS, AND HYDROCARBON LEASES

Upon recommendation of Ms. Garrison, the Director approved the assignment of 25% interest in operating rights from Surface to Base of Green River Formation being the stratigraphic equivalent of 40 feet below the Base of the "C" Shoal Marker found at a subsurface depth of 5340 feet as shown on the Electric Log for the Chandler West River Bend 3-12-10-15 Well in the NW¼ of Sec. 12, T10S, R15E, SLB&M., in and to the above-numbered lease listed below to QEP Energy Company, 1050 - 17th Street, Suite 500, Denver, CO 80265, by XTO Energy Inc. No override, but subject to previous overrides as reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

QEP ENERGY COMPANY - 75%,
XTO ENERGY INC. - 25%

***OPERATING RIGHTS: SURFACE TO BASE OF
GREEN RIVER FORMATION***

QEP ENERGY COMPANY - 75%,
XTO ENERGY INC. - 25%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

QEP ENERGY COMPANY - 75%,
XTO ENERGY INC. - 25%

***OPERATING RIGHTS: SURFACE TO BASE OF
GREEN RIVER FORMATION***

QEP ENERGY COMPANY - 100%

....ML 47000 (SCH)....ML 47052 (SCH)....ML 47053 (SCH)....ML 47054 (SCH)...

STIPULATION AND CROSS CONVEYANCE

This office has received a Stipulation and Cross Conveyance by and among Branta Exploration & Production, LLC Harvest (US) Holdings, Inc., Antelope ORRI, LLC, James E. Anderson, Gerald L. Stone, and Legends Exploration, LP.

The above-mentioned parties agree to ownership as follows:

ML 50716 (SCH), ML 50717 (SCH), ML 51431 (IB), ML 51434 (USH), ML 51435 (USH), ML 51436 (SM), ML 51437 (SCH), AND ML 51438 (SCH) – OIL, GAS, AND HYDROCARBON

WORKING INTEREST:

HARVEST (US) HOLDINGS, INC. - 60%
BRANTA EXPLORATION & PRODUCTION, LLC - 40%

STIPULATION AND CROSS CONVEYANCE (CONTINUED)

OVERRIDING ROYALTY INTEREST:

LEGENDS EXPLORATION, LP	-	3.5527%
ANGELOPE ORRI, LLC	-	1.5789%
GERALD L. STONE	-	1.1842%
JAMES E. ANDERSON	-	1.1842%

ML 51673 (SCH), ML 51674 (USU), ML 51675 (SYDC), ML 51676 (SCH: 240.00; DEAF: 160.00), ML 51678 (SCH), ML 51679 (SCH), AND ML 51680 (SCH) - OIL, GAS, AND HYDROCARBON (SCH)

WORKING INTEREST:

HARVEST (US) HOLDINGS, INC.	-	60%
BRANTA EXPLORATION & PRODUCTION, LLC	-	40%

OVERRIDING ROYALTY INTEREST:

JAMES E. ANDERSON	-	1.2500%
LEGENDS EXPLORATION, LP	-	.8333%
ANGELOPE ORRI, LLC	-	.6250%
GERALD L. STONE	-	.6250%

Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

Upon recommendation of Ms. Garrison, the Director approved the above-listed Stipulation and Cross Conveyance.

APPROVAL OF ML 51885-OBA – OIL, GAS, AND ASSOCIATED HYDROCARBONS LEASE (SCH)

The Board, at its meeting on August 5, 2010, approved the above-listed lease as follows:

<u>Mineral Lease No. 51885-OBA</u>	<u>T22S, R19E, SLB&M.</u>	Grand
Tidewater Oil & Gas Company LLC	SEC. 2: LOTS 1(54.07), 2(54.17), 3(54.27), 4(54.37),	696.88 acres
110 16 th Street, Suite 405	S½N½, S½ [ALL]	
Denver, CO 80202		

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

This lease will be issued on the 16-2/3% royalty lease form for a term of six (6) months beginning November 1, 2010.

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

SURFACE ACTIONS

RIGHTS OF ENTRY

RIGHT OF ENTRY NO. 5545 (APPROVAL)

On October 18, 2010, the School and Institutional Trust Lands Administration received an application from Redco, Inc., 922 West Baxter Dr., Suite 200, South Jordan, UT 84095, to occupy the following described trust land located within San Juan County to conduct a test plot for an anemometer for a one-year term:

T32S, R23E, SLB&M
Sec. 16: SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Within)

This right of entry replaces ROE 5403, which expires Oct. 31, 2010. At the time the original application (ROE 5252) was issued, a cultural resource survey was completed with a finding of "No Historic Properties".

The rental assessment for this right of entry is \$600.00, plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$700.00. Beginning Date: November 1, 2010. Expiration date: October 31, 2011. San Juan County. School Fund.

Upon recommendation of Mr. Lou Brown, the Director approved Right of Entry No. 5545 for a one-year term.

EASEMENTS

EASEMENT NO. 1087 (APPROVAL)

APPLICANT'S NAME AND ADDRESS:

San Juan County
P.O. Box 9
Monticello, Utah 84535-0009

LEGAL DESCRIPTION:

Township 27 South, Range 23 East, SLB&M
Section 17: NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Within)
Section 18: NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Lot 3 (Within)

A 66 foot wide easement, being 33 feet on each side of its centerline being described as follows:

Beginning at the West Quarter Corner of Section 18, Township 27 South, Range 23 East, SLB&M, a found 1911 G.L.O. brass cap; thence S 59°13'57" E 1034.42 feet to the East right-of-way line of the US Highway 191, the true point of beginning; thence N 60°56'31" E 2556.32 feet to the beginning of a curve to the right, thence along said curve having a radius of 2000 feet through a central angle of 10°00'53" for an arch length of 349.58 feet and having a chord that bears N 65°56'57" E 349.14 feet; thence N 70°57'24" E 1037.93 feet to the beginning of a curve to the left, thence along said curve having a radius of 2000 feet through a central angle of 42°31'50" for an arch length of 1484.60 feet and having a chord that bears N 49°41'29" E 1450.75 feet; thence N 28°25'33" E 44.25 feet to a point on the existing centerline of County Road #127 (the LaSal Loop Road) and the terminus of this centerline description. Containing 8.27 acres, more or less.

EASEMENT NO. 1087 (APPROVAL) (CONTINUED)

Basis of bearings is the West line of the NW Quarter of Section 18, Township 27 South, Range 23 East, SLB&M, more particularly S 01°24'15" E between found 1911 G.L.O. brass cap monuments for the West Quarter and the Northeast Corner of Section 18.

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

COUNTY: San Juan

ACRES: 8.27

FUND: School

PROPOSED ACTION:

The applicant requests an easement to construct, operate, repair, and maintain an access road. The proposed access road will provide a connection between Spanish Valley Drive and US Highway 191 in San Juan County, which are two main roads connecting residents of Spanish Valley to the town of Moab. The proposed access road is designed to reduce traffic load on Spanish Valley Drive and provide better access to residents of the Spanish Valley area from US Highway 191. The proposed access road will also provide frontage to trust lands in the area, thus enhancing their value and development utility.

The proposed easement corridor is approximately 5,473 feet long and 66 feet wide, containing approximately 8.27 acres. Since the access road will become a permanent part of San Juan County's transportation network, it is proposed that the easement be granted for a perpetual term.

RELEVANT FACTUAL BACKGROUND:

The subject "Application to Purchase an Easement" was received on March 27, 2006. It was submitted for the Agency review on April 11, 2006, and was accepted by the Director on April 28, 2006.

The proposed easement was sent to the Resource Development Coordinating Committee ("RDCC"), the Southeastern Utah Association of Governments, and the San Juan County Commission for review on April 12, 2006. The following comments were received from the Department of Environmental Quality/Division of Air Quality and the Southeastern Utah Association of Governments:

Department of Environmental Quality/ Division of Air Quality

"The proposed road construction project, in San Juan County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. If any "non-permitted" rock crushing plants, asphalt plants, or concrete batch plants are located at the site, an Approval Order from the Executive Secretary of the Air Quality Board will be required for operation of the equipment (this includes equipment not permitted in Utah). A permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah 84116, for review according to Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. In addition, the project is subject to R30-205-5, Fugitive Dust, since the project will have a short-term impact on air quality due to the fugitive dust that is 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 water and/or chemical stabilization, providing vegetative or synthetic cover, or windbreaks. A copy of the rules may be found at www.rules.utah.gov/publicUcode/r307/r307.htm."

Southeastern Utah Association of Governments

"Favorable comment recommended."

The project area has been surveyed for cultural resources by Bennett Management Services (#U-07-BT-0693s).

EASEMENT NO. 1087 (APPROVAL) (CONTINUED)**EVALUATION OF FACTS:**

The applicant has been notified of the comments provided by RDCC.

The Agency's Archaeology staff has reviewed the cultural resource documents submitted in support of the proposed easement. There is one National Register of Historical Places ("NRHP") historic-eligible site (42Sa20217) that was identified within the project area. Mitigation and data recovery have been completed (Treatment Plan for Mitigating Impact to Portions of Site 42SA20217 in Spanish Valley), and Utah State Historic Preservation Office ("SHPO") concurs with the Agency's determination of completeness for mitigation of the site. No further work is necessary, and the site has been cleared for cultural resources.

Since the proposed access road is necessary to any future development of the Trust Lands' parcels which it traverses and will enhance the value of these trust lands, the Agency is partnering with San Juan County to construct the proposed road. It is anticipated that the Agency will provide road base materials, and that San Juan County will provide the labor and equipment necessary to construct the road. Furthermore, San Juan County will fund the construction of required turn lanes on US Highway 191. The expenses to be borne by the applicant and in-kind contributions of labor and equipment to construct the access road and turn lanes will be accepted as compensation for the granting of this easement. It has been determined that the expenses and contributions borne by San Juan County meet or exceed the fair market cash consideration that would otherwise be required for the granting of this easement.

The easement will contain a provision by which a cost sharing agreement for the construction of the access road must be entered into within three years from the effective date of the easement. If the parties fail to enter into a cost sharing agreement for the construction of the access road within this time period, the easement agreement will terminate.

Upon recommendation of Mr. Andy Bedingfield, the Director approved the applicant's request for a non-exclusive easement. The term of the easement will be for perpetuity, beginning December 1, 2010. The application fee of \$750.00 has been paid for out of the 2006 Right-of-Way Acquisition Fund. As consideration for the easement, including the administrative fee required pursuant to R850-40-1800, the applicant will bear all costs associated with constructing the required turn lanes on US Highway 191, and will provide labor and equipment to construct and maintain the access road.

EASEMENT NO. 1574 (APPROVAL)**APPLICANT'S NAME AND ADDRESS:**

Kerr-McGee Oil & Gas Onshore LP
P.O. Box 173779
Denver, CO 80217

LEGAL DESCRIPTION:

Township 9 South, Range 21 East, SLB&M
Section 25: NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Within)
Section 26: SE $\frac{1}{4}$ (Within)

A 50' wide right-of-way located in the SW Quarter of Section 25 and the SE Quarter of Section 26, both in T9S, R21E, SLB&M, the right-of-way limits being 25' on each side of the following described centerline:

Beginning at a point in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, T9S, R21E, SLB&M, which bears S 71°53'51" E 443.31' from the West Quarter Corner of said Section, thence S 65°38'14" W 100.36' thence S 55°40'02" W 177.22'; thence S 54°15'16" W 225.93' to a point on the East line of the SE Quarter of Section 26, T9S, R21E, SLB&M,

EASEMENT NO. 1574 (APPROVAL) (CONTINUED)

which bears S 00°01'58" E 411.08' from the East Quarter Corner of said Section 26; thence S 55°25'42" W 350.85'; thence S 56°06'31" W 218.14'; thence S 56°39'42" W 237.45'; thence S 55°56'29" W 788.37'; thence S 56°21'40" W 194.04'; thence S 70°50'56" W 62.02'; thence S 85°07'05" W 86.82'; thence S 70°13'03" W 94.71'; thence S 61°57'44" W 277.90'; thence S 54°41'12" W 206.07'; thence S 59°46'19" W 67.89'; thence S 75°21'17" W 136.32'; thence S 53°32'07" W 63.76'; thence S 42°40'52" W 79.57'; thence S 49°09'46" W 72.61'; thence S 62°52'23" W 69.73'; thence S 82°38'05" W 79.72'; thence N 74°17'01" W 23.11' to a point on the West line of the SE Quarter of said Section 26 which bears N 00°00'24" W 664.30' from the South Quarter Corner of said Section 26. The side lines of said right-of-way being shortened or lengthened to terminate at the Quarter Section line. Basis of bearings is the East line of the SE Quarter of said Section 26 which is taken from global positioning satellite observations to bear N 00°01'58" W a measured distance of 2643.12'. Contains 4.15 acres, more or less.

Township 9 South, Range 21 East, SLB&M

Section 27: S½SE¼, NW¼SE¼, NE¼SW¼ (Within)

A 50' wide right-of-way located in the SE Quarter and the NE¼SW¼ of Section 27, T9S, R21E, S.L.B.&M., the right-of-way limits being 25' on each side of the following described centerline:

Beginning at a point on the East line of the SE Quarter of Section 27, T9S, R21E, SLB&M, which bears N 00°08'23" W 1180.35' from the Southeast Corner of said Section, thence S 78°43'38" W 25.63'; thence S 51°31'09" W 34.88'; thence S 34°32'01" W 81.06'; thence S 31°13'32" W 75.69'; thence S 48°30'12" W 85.12'; thence S 58°16'13" W 108.00'; thence S 55°55'35" W 74.85'; thence S 74°19'42" W 65.00'; thence N 80°03'14" W 102.85'; thence N 70°47'22" W 115.70'; thence N 62°46'55" W 110.77'; thence N 49°00'55" W 110.81'; thence N 45°25'00" W 222.62'; thence N 48°19'33" W 90.56'; thence N 71°48'32" W 75.74'; thence S 86°29'08" W 222.14'; thence S 89°00'24" W 159.37'; thence N 82°14'31" W 85.56'; thence N 78°10'19" W 149.67'; thence N 75°59'02" W 371.74'; thence N 76°27'55" W 448.58'; thence N 76°59'22" W 185.77'; thence N 70°53'40" W 66.65'; thence N 56°30'54" W 65.88' to a point in the NE¼SW¼ of said Section which bears N 06°14'27" W 1600.88' from the South Quarter Corner of said Section. Also, beginning at a point in the said NE¼SW¼ which bears N 01°33'37" W 1530.46' from the said South Quarter Corner, thence S 65°54'53" W 65.73'; thence S 43°04'12" W 59.15' to a point in the said NE¼SW¼ which bears N 05°33'30" W 1466.75' from the said South Quarter Corner. The side lines of the Eastern end of said right-of-way being shortened or lengthened to terminate at the Section Line. Basis of bearings is the East line of the SE Quarter of said Section which is taken from global positioning satellite observations to bear N 00°08'23" W a measured distance of 2641.52'. Contains 3.74 acres, more or less.

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

COUNTY: Uintah

ACRES: 7.89

FUND: School

PROPOSED ACTION:

The applicant has requested a non-exclusive easement to operate, repair, and maintain an existing access road. The road connects the Glenn Bench road to an un-named County Class D road. The easement corridor is approximately 6,872.11 feet long and 50 feet wide, containing 7.89 acres. The requested term of the easement is 30 years, with an expiration date of November 30, 2040.

RELEVANT FACTUAL BACKGROUND:

The subject easement application was received on July 8, 2010. It was submitted for the Agency review on August 12, 2010, and was accepted by the Director on August 30, 2010.

EASEMENT NO. 1574 (APPROVAL) (CONTINUED)

The existing access road was originally constructed to access a well drawing gas from the Natural Buttes Unit only. Future plans for the well are to drill into non-unitized formations. An easement application was filed because the road will be used to access a non-unitized gas well.

EVALUATION OF FACTS:

The proposed easement is exempt from review by the Resource Development Coordinating Committee ("RDCC") since it is existing infrastructure.

The easement location has been reviewed by the Agency's Archaeology staff, who have determined that a cultural resources survey would not be required since the project involves no new ground disturbance.

Upon recommendation of Mr. Andy Bedingfield, the Director approved the applicant's request for Easement No. 1574. The term of the easement is 30 years, beginning December 1, 2010, and expiring November 30, 2040. The application fee of \$750.00 and the easement rental assessment of \$4,164.92 have been submitted. Pursuant to R850-40-1800, an administrative fee will be assessed every three years throughout the term of the easement, with the first payment being due January 1, 2013.

EASEMENT NO. 1601 (APPROVAL)**APPLICANT'S NAME AND ADDRESS:**

Kerr-McGee Oil & Gas Onshore LP
P.O. Box 173779
Denver, CO 80217

LEGAL DESCRIPTION:**SEGMENT 1**

Township 10 South, Range 22 East, SLB&M

Section 18: N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ (Within)

Section 19: NE $\frac{1}{4}$ NE $\frac{1}{4}$ (Within)

A 30' wide right-of-way located in the SE Quarter of Section 18 and the NE Quarter of Section 19, both in T10S, R22E, SLB&M, the right-of-way limits being 15' on each side of the following described centerline:

Beginning at a point in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18, T10S, R22E, S.L.B.&M., which bears N 07°30'51" E 2233.10' from the South Quarter Corner of said Section; thence N 66°06'44" W 24.97'; thence N 21°02'48" E 56.98'; thence N 16°36'18" E 64.15'; thence N 32°12'09" E 56.54'; thence N 64°01'43" E 49.88'; thence S 81°00'40" E 72.05'; thence S 60°04'39" E 212.85'; thence S 38°43'41" E 66.21'; thence S 14°15'13" E 56.92'; thence S 00°32'43" E 88.08'; thence S 01°56'00" E 129.89'; thence S 20°41'39" E 110.93'; thence S 41°59'02" E 64.15'; thence S 59°04'41" E 71.04'; thence N 88°04'12" E 151.34'; thence N 80°01'07" E 121.82'; thence S 79°36'09" E 51.23'; thence S 60°55'26" E 38.55'; thence S 50°29'54" E 191.36'; thence S 52°47'14" E 179.89'; thence S 57°02'07" E 210.37'; thence S 54°28'33" E 104.81'; thence S 56°54'30" E 114.14'; thence S 59°08'24" E 254.35'; thence S 43°09'27" E 112.11'; thence S 05°34'37" E 85.42'; thence S 22°16'12" W 68.63'; thence S 35°56'27" W 127.08'; thence S 38°20'31" W 258.59'; thence S 20°10'00" W 253.41'; thence S 26°17'35" W 150.43'; thence S 52°07'28" W 43.64'; thence S 70°47'58" W 140.94'; thence S 44°06'33" E 50.47'; thence S 81°57'05" E 65.33'; thence N 67°13'44" E 141.66'; thence N 50°44'14" E 106.86'; thence N 69°34'22" E 80.41'; thence S 67°46'50" E 92.07'; thence S 41°45'12" E 50.02'; thence S 39°26'54" E 70.11'; thence S 36°44'22" E

EASEMENT NO. 1601 (APPROVAL) (CONTINUED)

223.75' to a point on the North line of the NE Quarter of Section 19, T10S, R22E, SLB&M, which bears N 89°53'07" W 392.05' from the Northeast Corner of said Section 19; thence S 36°44'22" E 13.46'; thence S 50°40'55" E 98.02'; thence S 67°34'21" E 177.01'; thence S 08°56'08" W 36.61'; thence S 05°11'11" E 230.46'; thence S 14°22'45" E 103.50'; thence S 24°26'56" E 135.99' to a point in the NE¼NE¼ of said Section 19 which bears S 04°18'28" W 631.17' from the said Northeast Corner of Section 19. The side lines of said right-of-way being shortened or lengthened to terminate at the well pad. Basis of bearings is the East line of the SE Quarter of said Section 18 which is taken from global positioning satellite observations to bear N 00°00'21" E a measured distance of 2641.25'. Contains 3.76 acres, more or less.

SEGMENT 2

Township 10 South, Range 22 East, SLB&M

Section 18: NE¼SE¼ (Within)

A 30' wide right-of-way located in the SE Quarter of Section 18, T10S, R22E, SLB&M, the right-of-way limits being 15' on each side of the following described centerline:

Beginning at a point in the NE¼SE¼ of Section 18, T10S, R22E, SLB&M, which bears S 34°47'01" W 1191.93' from the East Quarter Corner of said Section, thence N 26°54'50" W 57.97'; thence N 19°26'34" W 49.09'; thence N 23°57'44" W 47.60'; thence S 62°23'03" W 176.24'; thence S 64°08'09" W 59.45'; thence S 49°13'02" W 108.16'; thence S 09°31'28" W 140.57' to a point in the said NE¼SE¼ which bears S 42°28'13" W 1564.98' from the said East Quarter Corner. The side lines of said right-of-way being shortened or lengthened to terminate at the well pad. Basis of bearings is the East line of the SE Quarter of said Section which is taken from global positioning satellite observations to bear N 00°00'21" E a measured distance of 2641.25'. Contains 0.44 acre, more or less.

SEGMENT 3

Township 10 South, Range 22 East, SLB&M

Section 18: SE¼SW¼, S½SE¼ (Within)

A 30' wide right-of-way located in the South Half of Section 18, T10S, R22E, SLB&M, the right-of-way limits being 15' on each side of the following described centerline:

Beginning at a point in the SE¼SW¼ of Section 18, T10S, R22E, SLB&M which bears N 02°28'02" W 133.24' from the South Quarter Corner of said Section, thence N 82°22'04" W 24.16'; thence N 09°29'16" E 26.23'; thence N 15°43'50" E 100.81'; thence N 33°30'46" E 69.35'; thence N 59°51'25" E 49.45'; thence N 88°54'19" E 73.93'; thence S 76°33'04" E 84.75'; thence S 78°11'50" E 70.52'; thence N 61°58'08" E 57.30'; thence N 26°38'04" E 59.54'; thence N 17°58'58" E 91.37'; thence N 27°38'42" E 47.96'; thence N 55°11'20" E 48.95'; thence N 85°03'00" E 66.01'; thence S 83°55'46" E 328.66'; thence S 88°23'50" E 241.77'; thence S 79°54'31" E 85.81'; thence S 65°47'38" E 100.05'; thence S 61°23'10" E 102.98'; thence S 46°26'30" E 74.50'; thence S 38°27'14" E 126.09'; thence S 44°06'33" E 82.78' to a point in the SE¼SE¼ of said Section which bears N 79°25'19" W 1096.13' from the Southeast Corner of said Section. The side lines of said right-of-way being shortened or lengthened to terminate at the well pad. Basis of bearings is the East line of the SE Quarter of said Section which is taken from global positioning satellite observations to bear N 00°00'21" E a measured distance of 2641.25'. Contains 1.39 acres, more or less.

EASEMENT NO. 1601 (APPROVAL) (CONTINUED)**SEGMENT 4**Township 10 South, Range 22 East, SLB&MSection 18: SE¹/₄SE¹/₄ (Within)Section 19: NE¹/₄NE¹/₄ (Within)

A 30' wide right-of-way located in the SE Quarter of Section 18 and the NE Quarter of Section 19, both in T10S, R22E, SLB&M, the right-of-way limits being 15' on each side of the following described centerline:

Beginning at a point in the SE¹/₄SE¹/₄ of Section 18, T10S, R22E, SLB&M, which bears N 27°18'13" W 481.70' from the Southeast Corner of said Section, thence N 56°52'59" E 28.45'; thence S 28°46'20" E 180.38'; thence S 27°14'46" E 153.76'; thence S 04°47'59" W 47.44'; thence S 29°06'42" W 78.85'; thence S 20°39'25" W 34.64' to a point on the North line of the NE Quarter of Section 19, T10S, R22E, SLB&M, which bears N 89°53'07" W 94.46' from the Northeast Corner of said Section 19, thence S 20°39'25" W 136.62'; thence S 08°56'08" W 12.14' to a point in the NE¹/₄NE¹/₄ of said Section 19 which bears S 45°59'17" W 200.98' from the said Northeast Corner of Section 19. The side lines of said right-of-way being shortened or lengthened to terminate at the well pad. Basis of bearings is the East line of the SE Quarter of said Section 18 which is taken from global positioning satellite observations to bear N 00°00'21" E a measured distance of 2641.25'. Contains 0.46 acre, more or less.

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

COUNTY: Uintah

ACRES: 6.05

FUND: School

PROPOSED ACTION:

The applicant has requested a non-exclusive easement to construct, operate, repair, and maintain surface 2-inch and 4-inch gas pipelines. The pipelines will interconnect four single well pad locations: NBU 1022-18, NBU 1022-18P, NBU 1022-18I and NBU 1022-18J. The proposed easement corridor in both sections is 8,782.81 feet long and 30 feet wide, containing 6.05 acres. The requested term of the easement is 30 years.

RELEVANT FACTUAL BACKGROUND:

The subject "Application to Purchase an Easement" was received on August 31, 2010. It was submitted for the Agency review on September 7, 2010, and was accepted by the Director on September 21, 2010.

The proposed easement was sent to the Resource Development Coordinating Committee ("RDCC"), the Uintah Basin Association of Governments, and the Uintah County Commission for review on September 7, 2010. Comments were received by the Utah Geological Survey and the Uintah County Commission as follows:

Utah Geological Survey

"There are known significant vertebrate fossil localities recorded in our files in or near this project area, and the Eocene Uinta Formation that is exposed here has the potential for yielding additional significant vertebrate fossil localities. The office of the State Paleontologist recommends that a paleontological survey be conducted for this project and its easements by a paleontologist with a valid permit."

Uintah County

"Uintah County is supportive of this action, keeping traffic, dust, and noise emissions during construction and installation at a minimum."

"We ask that Kerr-McGee Oil & Gas Onshore, LP contact Uintah County's Planning & Zoning Department for the necessary County permits and the Uintah County Road Department for permits and regulations when crossing County roads."

EASEMENT NO. 1601 (APPROVAL) (CONTINUED)

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

The project area has been surveyed for cultural resources by Montgomery Archaeological Consultants (#U-07-MQ-1438b,s,p,s).

The project area has been surveyed for paleontological resources by Intermountain Paleo-Consulting (IPC-10-106).

EVALUATION OF FACTS:

The applicant has been notified of the comments submitted by the Utah Geological Survey and the Uintah County Commission.

The Agency's Archaeology staff has reviewed the cultural resource survey that was completed by Montgomery Archaeological Consultants. Two eligible sites were identified near the project area. If the gas lines are placed within previously disturbed areas, then cultural resource clearance has been granted.

The Agency's staff has reviewed the paleontological survey that was completed by Intermountain Paleo-Consulting. Some paleontological sites were identified near the course of the proposed pipeline. Due to the number of fossils found around the proposed pipelines, a qualified paleontologist must be present to monitor the construction of these pipelines.

Upon recommendation of Mr. Andy Bedingfield, the Director approved the applicant's request for a non-exclusive easement. The term of the easement will be 30 years, beginning December 1, 2010, and expiring November 30, 2040. The application fee of \$750.00 and the easement rental assessment of \$10,113.54 have been submitted. Pursuant to R850-40-1800, an administrative fee will be assessed every three years during the term of the easement, with the first payment being due January 1, 2013.

EASEMENT NO. 939 - AMENDMENT NO. 2 (APPROVAL)**APPLICANT'S NAME AND ADDRESS:**

Beehive Telephone Company, Inc.
2000 East Sunset Road
Lakepoint, Utah 84074

ORIGINAL LEGAL DESCRIPTION:

Township 6 North, Range 18 West, SLB&M
Section 16: W½W½ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 88°43'50" East 666.89 feet, more or less, from the Southwest Corner of Section 16, Township 6 North, Range 18 West, SLB&M, to the point of beginning, thence North 0°50'32" East 749.99 feet, more or less, thence North 2°51'54" East 178.43 feet, more or less, thence North 5°29'2" East 146.5 feet, more or less, thence North 8°26'37" East 2912.97 feet, more or less, thence North 10°52'2" East 279.12 feet, more or less, thence North 15°33'54" East 270.58 feet, more or less, thence North 16°35'25" East 811.98 feet, more or less, ending at a point along the Northern boundary of said Section 16. Containing 1.96 acres, more or less.

EASEMENT NO. 939 - AMENDMENT NO. 2 (APPROVAL) (CONTINUED)Township 7 North, Range 18 West, SLB&M

Section 2: Lot 4 (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 0°28'28" West 555.89 feet, more or less, from the Northwest Corner of Section 2, Township 7 North, Range 18 West, SLB&M, to the point of beginning, thence North 56°30'54" East 569.57 feet, more or less, thence North 56°18'40" East 404.95 feet, more or less, ending at a point along the Northern boundary of said Section 2. Containing .357 acre, more or less.

Township 7 North, Range 18 West, SLB&MSection 16: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following survey line:

Commencing at a point being North 88°20'46" West 1271.62 feet, more or less, from the Southeast Corner of Section 16, Township 7 North, Range 18 West, SLB&M, to the point of beginning, thence North 17°48'38" East 1297.00 feet, more or less, thence North 18°5'48" East 248.81 feet, more or less, thence North 20°6'16" East 163.62 feet, more or less, thence North 22°43'58" East 161.31 feet, more or less, thence North 25°37'15" East 1659.77 feet, more or less, ending at a point along the Eastern boundary of said Section 16. Containing 1.296 acres, more or less.

Township 7 North, Range 18 West, SLB&MSection 32: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 0°55'13" West 2403.02 feet, more or less, from the Northeast Corner of Section 32, Township 7 North, Range 18 West, SLB&M, to the point of beginning, thence South 23°38'6" West 389.51 feet, more or less, thence South 22°21'33" West 208.83 feet, more or less, thence South 19°39'49" West 213.44 feet, more or less, thence South 20°47'30" West 946.84 feet, more or less, thence South 19°11'1" West 307.24 feet, more or less, thence South 18°20'11" West 389.74 feet, more or less, thence South 17°13'7" West 480.22 feet, more or less, ending at a point along the Southern boundary of said Section 32. Containing 1.07 acres, more or less.

Township 8 North, Range 18 West, SLB&MSection 36: W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being North 57°2'29" West 6127.13 feet, more or less, from the Southeast Corner of Section 36, Township 8 North, Range 18 West, SLB&M, to a point of beginning, thence North 56°11'47" East 56.92 feet, more or less, thence North 44°55'6" East 53.82 feet, more or less, thence North 33°29'32" East 48.04 feet, more or less, thence North 23°51'4" East 85.56 feet, more or less, thence North 9°32'21" East 264.82 feet, more or less, thence North 10°25'31" East 1752.79 feet, more or less, ending at a point along the Northern boundary of said Section 36. Containing .83 acre, more or less.

EASEMENT NO. 939 - AMENDMENT NO. 2 (APPROVAL) (CONTINUED)

Also, commencing at a point being North 0°38'3" West 538.41 feet, more or less, from the Southeast Corner of said Section 36, to a point of beginning, thence North 58°2'24" West 747.28 feet, more or less, thence North 58°34'31" West 1892.78 feet, more or less, thence North 58°25'13" West 1118.98 feet, more or less, thence North 58°35'58" West 1955.07 feet, more or less, thence North 52°29'48" West 52.08 feet, more or less, thence North 43°34'31" West 22.38 feet, more or less, thence North 35°54'13" West 20.51 feet, more or less, thence North 26°21'49" West 18.57 feet, more or less, thence North 19°21'57" West 55.17 feet, more or less, ending at a point where it meets the beginning point of the above described centerline. Containing 2.16 acres, more or less.

Township 10 North, Range 18 West, SLB&M

Section 32: NE¼NE¼ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 1°17'37" West 171.19 feet, more or less, from the Northeast Corner of Section 32, Township 10 North, Range 18 West, SLB&M, to the point of beginning, thence North 76°42'39" West 97.49 feet, more or less, thence North 72°3'59" West 100.28 feet, more or less, thence North 69°15'46" West 156.54 feet, more or less, thence North 68°58'44" West 195.56 feet, more or less, ending at a point along the Northern boundary of said Section 32. Containing .20 acre, more or less.

Township 11 North, Range 15 West, SLB&M

Section 2: Lot 2, SW¼NE¼, NW¼SE¼, E½SW¼ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being North 88°54'40" West 1766.33 feet, more or less, from the Northeast Corner of Section 2, Township 11 North, Range 15 West, SLB&M, to the point of beginning, thence South 16°12'31" West 1447.14 feet, more or less, thence South 16°13'50" West 4092.50 feet, more or less, ending at a point along the Southern boundary of said Section 2. Containing 2.03 acres, more or less.

Township 13 North, Range 11 West, SLB&M

Section 32: W½NW¼, NW¼SW¼, E½SW¼, S½SE¼ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following survey line:

Commencing at a point being South 89°45'57" West 3315.40 feet, more or less, from the Southeast Corner of Section 32, Township 13 North, Range 11 West, SLB&M, to a point of beginning, thence North 13°18'18" West 22.30 feet, more or less, thence North 72°34'44" East 41.04 feet, more or less, thence North 16°57'22" West 63.55 feet, more or less, thence North 25°21'54" West 17.45 feet, more or less, thence North 19°53'4" West 745.77 feet, more or less, thence North 19°59'13" West 1533.23 feet, more or less, thence North 19°0'12" West 310.17 feet, more or less, thence North 17°59'35" West 121.52 feet, more or less, thence North 15°45'50" West 233.09 feet, more or less, thence North 10°57'57" West 174.15 feet, more or less, thence North 7°56'0" West 184.32 feet, more or less, thence North 7°53'41" West 2092.63 feet, more or less, ending at a point along the Northern boundary of said Section 32. Containing 2.03 acres, more or less.

EASEMENT NO. 939 - AMENDMENT NO. 2 (APPROVAL) (CONTINUED)

Also, commencing at a point being North 0°25'53" East 42.12 feet, more or less, from the Southeast Corner of said Section 32, to a point of beginning, thence North 88°31'22" West 1617.34 feet, more or less, thence North 88°43'56" West 1302.84 feet, more or less, thence North 89°23'21" West 105.24 feet, more or less, thence South 89°30'52" West 90.67 feet, more or less, thence North 88°44'11" West 25.69 feet, more or less, thence North 85°33'8" West 65.52 feet, more or less, thence North 81°34'24" West 72.72 feet, more or less, thence North 83°5'11" West 43.39 feet, more or less, ending at a point where it meets the point of beginning of the above described centerline. Containing 1.22 acres, more or less.

Township 13 North, Range 13 West, SLB&M

Section 32: NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 0°26'21" West 14.00 feet, more or less, from the Northeast Corner of Section 31, Township 13 North, Range 13 West, SLB&M, to the point of beginning, thence South 89°33'39" East 1350.16 feet, more or less, ending at a point along the Eastern boundary line of Section 32. Containing .49 acre, more or less.

Township 13 North, Range 13 West, SLB&M

Section 32: W $\frac{1}{2}$ W $\frac{1}{2}$ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the described centerline, across a portion of the W $\frac{1}{2}$ W $\frac{1}{2}$ of Section 32, Township 13 North, Range 13 West, SLB&M, being more particularly described as follows:

Commencing at a point being the Northwest Corner of Section 32, thence N89°17'24"E along the North section line of said Section 32, a distance of 845.33 feet, more or less to the true point of beginning; thence S02°53'25"E 2838.16 feet, more or less; thence S06°18'48"E 96.63 feet, more or less; thence S15°04'56"E 318.26 feet, more or less; thence S01°40'28"W 42.17 feet, more or less; thence S14°11'38"W 455.85 feet, more or less; thence S05°57'38"W 129.35 feet, more or less; thence S09°10'51"E 130.84 feet, more or less; thence S31°04'17"E 460.71 feet, more or less; thence S17°23'40"E 161.14 feet, more or less; thence S08°43'33"E 464.74 feet, more or less; thence S06°29'15"E 126.10 feet, more or less; thence S81°23'54"W 32.02 feet, more or less; thence S06°29'15"E 240.16 feet, more or less; to a point of terminus at a point along the southern boundary line of Section 32. Containing 2.02 acres, more or less.

Township 13 North, Range 15 West, SLB&M

Section 32: NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 0°50'58" West 3181.60 feet, more or less, from the Northeast Corner of Section 32, Township 13 North, Range 15 West, SLB&M, to the point of beginning, thence North 51°38'5" West 191.73 feet, more or less, thence North 48°29'3" West 155.13 feet, more or less, thence North 46°13'6" West 106.84 feet, more or less, thence North 41°21'43" West 70.51 feet, more or less, thence North 36°59'13" West 115.30 feet, more or less, thence North 33°20'47" West 65.83 feet, more or less, thence North 32°39'20" West 528.33 feet, more or less, thence North 31°29'10" West 350.62 feet, more or less, thence North 27°37'22" West

EASEMENT NO. 939 - AMENDMENT NO. 2 (APPROVAL) (CONTINUED)

168.09 feet, more or less, thence North 31°58'14" West 162.68 feet, more or less, thence North 35°11'16" West 213.18 feet, more or less, thence North 36°5'26" West 190.25 feet, more or less, thence North 38°8'50" West 127.78 feet, more or less, thence North 46°43'44" West 90.10 feet, more or less, thence North 50°31'12" West 165.01 feet, more or less, thence North 47°56'14" West 52.91 feet, more or less, thence North 45°22'30" West 105.61 feet, more or less, thence North 41°23'43" West 279.10 feet, more or less, thence North 37°56'11" West 174.35 feet, more or less, thence North 38°52'41" West 229.29 feet, more or less, thence North 41°39'11" West 120.46 feet, more or less, thence North 45°40'56" West 156.67 feet, more or less, thence North 45°23'25" West 74.91 feet, more or less, thence North 41°31'24" West 85.63 feet, more or less, thence North 39°13'34" West 48.90 feet, more or less, thence North 38°17'9" West 106.14 feet, more or less, thence North 37°38'20" West 71.77 feet, more or less, ending at a point along the Northern boundary of said Section 32. Containing 1.54 acres, more or less.

Township 13 North, Range 17 West, SLB&M

Section 16: E½SE¼ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being North 87°31'22" West 123.06 feet, more or less, from the Southeast Corner of Section 16, Township 13 North, Range 17 West, SLB&M, to the point of beginning, thence North 52°29'45" East 158.48 feet, more or less, ending at a point along the Eastern boundary of said Section 16. Containing .05 acre, more or less.

Township 13 North, Range 17 West, SLB&M

Section 32: W½NE¼, SW¼SW¼, E½SW¼, NW¼SE¼ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 88°59'47" East 44.25 feet, more or less, from the Northwest Corner of Section 5, Township 12 North, Range 17 West, SLB&M, to the point of beginning, thence North 26°50'34" East 693.97 feet, more or less, thence North 28°8'30" East 58.70 feet, more or less, thence North 31°39'52" East 58.55 feet, more or less, thence North 35°14'40" East 60.39 feet, more or less, thence North 38°56'48" East 64.27 feet, more or less, thence North 42°16'16" East 281.89 feet, more or less, thence North 45°15'44" East 438.01 feet, more or less, thence North 48°26'3" East 958.50 feet, more or less, thence North 47°44'27" East 195.10 feet, more or less, thence North 43°52'0" East 129.39 feet, more or less, thence North 38°43'46" East 64.05 feet, more or less, thence North 34°51'17" East 63.61 feet, more or less, thence North 30°51'8" East 63.40 feet, more or less, thence North 27°3'20" East 63.22 feet, more or less, thence North 21°6'55" East 127.40 feet, more or less, thence North 14°51'1" East 65.08 feet, more or less, thence North 10°57'47" East 135.57 feet, more or less, thence North 8°54'30" East 2508.90 feet, more or less, ending at a point along the Northern boundary of Section 32, Township 13 North, Range 17 West, SLB&M. Containing 2.21 acres, more or less.

Township 13 North, Range 18 West, SLB&M

Section 16: W½SW¼ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

EASEMENT NO. 939 - AMENDMENT NO. 2 (APPROVAL) (CONTINUED)

Commencing at a point being South 88°42'32" East 1214.32 feet, more or less, from the Southwest Corner of Section 16, Township 13 North, Range 18 West, SLB&M, to the point of beginning, thence North 5°56'28" West 48.16 feet, more or less, thence North 5°2'52" West 60.54 feet, more or less, thence North 3°1'22" West 197.53 feet, more or less, thence North 6°55'58" East 24.66 feet, more or less, thence North 2°35'3" East 157.85 feet, more or less, thence North 2°0'7" East 72.81 feet, more or less, thence North 0°17'35" West 38.25 feet, more or less, thence North 4°52'6" West 109.18 feet, more or less, thence North 9°22'56" West 64.13 feet, more or less, thence North 15°49'37" West 103.64 feet, more or less, thence North 21°59'51" West 95.95 feet, more or less, thence North 26°8'29" West 126.95 feet, more or less, thence North 29°51'51" West 307.55 feet, more or less, thence North 30°27'3" West 163.17 feet, more or less, thence North 33°38'54" West 27.50 feet, more or less, thence North 40°21'55" West 158.10 feet, more or less, thence North 44°3'46" West 97.49 feet, more or less, thence North 49°46'57" West 83.26 feet, more or less, thence North 56°19'16" West 96.75 feet, more or less, thence North 62°44'3" West 71.65 feet, more or less, thence North 67°57'49" West 119.53 feet, more or less, thence North 70°50'9" West 85.84 feet, more or less, thence North 74°53'46" West 85.92 feet, more or less, thence North 75°31'4" West 125.37 feet, more or less, ending at a point along the Western boundary of said Section 16. Containing .92 acre, more or less.

COUNTY: Box Elder

ACRES: 20.383

FUND: School

AMENDED LEGAL DESCRIPTION:

Township 6 North, Range 18 West, SLB&M
Section 16: W½W½ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 88°43'50" East 666.89 feet, more or less, from the Southwest Corner of Section 16, Township 6 North, Range 18 West, SLB&M, to the point of beginning, thence North 0°50'32" East 749.99 feet, more or less, thence North 2°51'54" East 178.43 feet, more or less, thence North 5°29'2" East 146.5 feet, more or less, thence North 8°26'37" East 2912.97 feet, more or less, thence North 10°52'2" East 279.12 feet, more or less, thence North 15°33'54" East 270.58 feet, more or less, thence North 16°35'25" East 811.98 feet, more or less, ending at a point along the Northern boundary of said Section 16. Containing 1.96 acres, more or less.

Township 7 North, Range 18 West, SLB&M
Section 2: Lot 4 (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet of the left side of the following described survey line:

Commencing at a point being South 0°28'28" West 555.89 feet, more or less, from the Northwest Corner of Section 2, Township 7 North, Range 18 West, SLB&M, to the point of beginning, thence North 56°30'54" East 569.57 feet, more or less, thence North 56°18'40" East 404.95 feet, more or less, ending at a point along the Northern boundary of said Section 2. Containing .357 acre, more or less.

Township 7 North, Range 18 West, SLB&M
Section 16: SE¼NE¼, E½SE¼ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following survey line:

EASEMENT NO. 939 - AMENDMENT NO. 2 (APPROVAL) (CONTINUED)

Commencing at a point being North 88°20'46" West 1271.62 feet, more or less, from the Southeast Corner of Section 16, Township 7 North, Range 18 West, SLB&M, to the point of beginning, thence North 17°48'38" East 1297.00 feet, more or less, thence North 18°5'48" East 248.81 feet, more or less, thence North 20°6'16" East 163.62 feet, more or less, thence North 22°43'58" East 161.31 feet, more or less, thence North 25°37'15" East 1659.77 feet, more or less, ending at a point along the Eastern boundary of said Section 16. Containing 1.296 acres, more or less.

Township 7 North, Range 18 West, SLB&M

Section 32: SE¼NE¼, E½SE¼ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 0°55'13" West 2403.02 feet, more or less, from the Northeast Corner of Section 32, Township 7 North, Range 18 West, SLB&M, to the point of beginning, thence South 23°38'6" West 389.51 feet, more or less, thence South 22°21'33" West 208.83 feet, more or less, thence South 19°39'49" West 213.44 feet, more or less, thence South 20°47'30" West 946.84 feet, more or less, thence South 19°11'1" West 307.24 feet, more or less, thence South 18°20'11" West 389.74 feet, more or less, thence South 17°13'7" West 480.22 feet, more or less, ending at a point along the Southern boundary of said Section 32. Containing 1.07 acres, more or less.

Township 8 North, Range 18 West, SLB&M

Section 36: W½NW¼, SE¼NW¼, NE¼SW¼, NW¼SE¼, S½SE¼ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being North 57°2'29" West 6127.13 feet, more or less, from the Southeast Corner of Section 36, Township 8 North, Range 18 West, SLB&M, to a point of beginning, thence North 56°11'47" East 56.92 feet, more or less, thence North 44°55'6" East 53.82 feet, more or less, thence North 33°29'32" East 48.04 feet, more or less, thence North 23°51'4" East 85.56 feet, more or less, thence North 9°32'21" East 264.82 feet, more or less, thence North 10°25'31" East 1752.79 feet, more or less, ending at a point along the Northern boundary of said Section 36. Containing .83 acre, more or less.

Also, commencing at a point being North 0°38'3" West 538.41 feet, more or less, from the Southeast Corner of said Section 36, to a point of beginning, thence North 58°2'24" West 747.28 feet, more or less, thence North 58°34'31" West 1892.78 feet, more or less, thence North 58°25'13" West 1118.98 feet, more or less, thence North 58°35'58" West 1955.07 feet, more or less, thence North 52°29'48" West 52.08 feet, more or less, thence North 43°34'31" West 22.38 feet, more or less, thence North 35°54'13" West 20.51 feet, more or less, thence North 26°21'49" West 18.57 feet, more or less, thence North 19°21'57" West 55.17 feet, more or less, ending at a point where it meets the beginning point of the above described centerline. Containing 2.16 acres, more or less.

Township 10 North, Range 18 West, SLB&M

Section 32: NE¼NE¼ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 1°17'37" West 171.19 feet, more or less, from the Northeast Corner of Section 32, Township 10 North, Range 18 West, SLB&M, to the point of beginning, thence North 76°42'39" West 97.49 feet, more or less, thence North 72°3'59" West 100.28 feet, more or less, thence North 69°15'46" West 156.54 feet, more or less, thence North 68°58'44" West 195.56 feet, more or less, ending at a point along the Northern boundary of said Section 32. Containing .20 acre, more or less.

EASEMENT NO. 939 - AMENDMENT NO. 2 (APPROVAL) (CONTINUED)Township 11 North, Range 15 West, SLB&MSection 2: Lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being North 88°54'40" West 1766.33 feet, more or less, from the Northeast Corner of Section 2, Township 11 North, Range 15 West, SLB&M, to the point of beginning, thence South 16°12'31" West 1447.14 feet, more or less, thence South 16°13'50" West 4092.50 feet, more or less, ending at a point along the Southern boundary of said Section 2. Containing 2.03 acres, more or less.

Township 12 North, Range 11 West, SLB&MSection 16: S $\frac{1}{2}$ SW $\frac{1}{4}$ (Within)

An easement 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the described centerline, across a portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 16, Township 12 North, Range 11 West, SLB&M, being more particularly described as follows:

Commencing at a point being N 00°06'19" E 953.09 feet, more or less, from the Southwest Corner of Section 16, T12N, R11W, SLB&M, to the point of beginning, thence S 34°47'37" E 330.16 feet, more or less, along the easterly side of a road known as the Kelton Road as it now exists; thence S 89°55'41" E 1340.29 feet, more or less, parallel and abutting the northerly and easterly line of an easement (Easement No. 1524) granted to Raft River Electric; thence S 00°04'19" E 575.86 feet, more or less, to the ending point of said easement, being within the South Half of the Southwest Quarter of Section 16, T12N, R11W, SLB&M. Containing 0.825 acre, more or less.

Township 13 North, Range 11 West, SLB&MSection 32: W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following survey line:

Commencing at a point being South 89°45'57" West 3315.40 feet, more or less, from the Southeast Corner of Section 32, Township 13 North, Range 11 West, SLB&M, to a point of beginning, thence North 13°18'18" West 22.30 feet, more or less, thence North 72°34'44" East 41.04 feet, more or less, thence North 16°57'22" West 63.55 feet, more or less, thence North 25°21'54" West 17.45 feet, more or less, thence North 19°53'4" West 745.77 feet, more or less, thence North 19°59'13" West 1533.23 feet, more or less, thence North 19°0'12" West 310.17 feet, more or less, thence North 17°59'35" West 121.52 feet, more or less, thence North 15°45'50" West 233.09 feet, more or less, thence North 10°57'57" West 174.15 feet, more or less, thence North 7°56'0" West 184.32 feet, more or less, thence North 7°53'41" West 2092.63 feet, more or less, ending at a point along the Northern boundary of said Section 32. Containing 2.03 acres, more or less.

Also, commencing at a point being North 0°25'53" East 42.12 feet, more or less, from the Southeast Corner of said Section 32, to a point of beginning, thence North 88°31'22" West 1617.34 feet, more or less, thence North 88°43'56" West 1302.84 feet, more or less, thence North 89°23'21" West 105.24 feet, more or less, thence South 89°30'52" West 90.67 feet, more or less, thence North 88°44'11" West 25.69 feet, more or less, thence North 85°33'8" West 65.52 feet, more or less, thence North 81°34'24" West 72.72 feet, more or less, thence North 83°5'11" West 43.39 feet, more or less, ending at a point where it meets the point of beginning of the above described centerline. Containing 1.22 acres, more or less.

EASEMENT NO. 939 - AMENDMENT NO. 2 (APPROVAL) (CONTINUED)Township 13 North, Range 13 West, SLB&MSection 32: NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 0°26'21" West 14.00 feet, more or less, from the Northeast Corner of Section 31, Township 13 North, Range 13 West, SLB&M, to the point of beginning, thence South 89°33'39" East 1350.16 feet, more or less, ending at a point along the Eastern boundary line of Section 32. Containing .49 acre, more or less.

Township 13 North, Range 13 West, SLB&MSection 32: W $\frac{1}{2}$ W $\frac{1}{2}$ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the described centerline, across a portion of the W $\frac{1}{2}$ W $\frac{1}{2}$ of Section 32, Township 13 North, Range 13 West, SLB&M, being more particularly described as follows:

Commencing at a point being the Northwest Corner of Section 32, thence N89°17'24"E along the North section line of said Section 32, a distance of 845.33 feet, more or less to the true point of beginning; thence S02°53'25"E 2838.16 feet, more or less; thence S06°18'48"E 96.63 feet, more or less; thence S15°04'56"E 318.26 feet, more or less; thence S01°40'28"W 42.17 feet, more or less; thence S14°11'38"W 455.85 feet, more or less; thence S05°57'38"W 129.35 feet, more or less; thence S09°10'51"E 130.84 feet, more or less; thence S31°04'17"E 460.71 feet, more or less; thence S17°23'40"E 161.14 feet, more or less; thence S08°43'33"E 464.74 feet, more or less; thence S06°29'15"E 126.10 feet, more or less; thence S81°23'54"W 32.02 feet, more or less; thence S06°29'15"E 240.16 feet, more or less; to a point of terminus at a point along the Southern boundary line of Section 32. Containing 2.02 acres, more or less.

Township 13 North, Range 15 West, SLB&MSection 32: NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 0°50'58" West 3181.60 feet, more or less, from the Northeast Corner of Section 32, Township 13 North, Range 15 West, SLB&M, to the point of beginning, thence North 51°38'5" West 191.73 feet, more or less, thence North 48°29'3" West 155.13 feet, more or less, thence North 46°13'6" West 106.84 feet, more or less, thence North 41°21'43" West 70.51 feet, more or less, thence North 36°59'13" West 115.30 feet, more or less, thence North 33°20'47" West 65.83 feet, more or less, thence North 32°39'20" West 528.33 feet, more or less, thence North 31°29'10" West 350.62 feet, more or less, thence North 27°37'22" West 168.09 feet, more or less, thence North 31°58'14" West 162.68 feet, more or less, thence North 35°11'16" West 213.18 feet, more or less, thence North 36°5'26" West 190.25 feet, more or less, thence North 38°8'50" West 127.78 feet, more or less, thence North 46°43'44" West 90.10 feet, more or less, thence North 50°31'12" West 165.01 feet, more or less, thence North 47°56'14" West 52.91 feet, more or less, thence North 45°22'30" West 105.61 feet, more or less, thence North 41°23'43" West 279.10 feet, more or less, thence North 37°56'1" West 174.35 feet, more or less, thence North 38°52'41" West 229.29 feet, more or less, thence North 41°39'11" West 120.46 feet, more or less, thence North 45°40'56" West 156.67 feet, more or less, thence North 45°23'25" West 74.91 feet, more or less, thence North 41°31'24" West 85.63 feet, more or less, thence North 39°13'34" West 48.90 feet, more or less, thence North 38°17'9" West 106.14 feet, more or less, thence North 37°38'20" West 71.77 feet, more or less, ending at a point along the Northern boundary of said Section 32. Containing 1.54 acres, more or less.

EASEMENT NO. 939 - AMENDMENT NO. 2 (APPROVAL) (CONTINUED)Township 13 North, Range 17 West, SLB&M

Section 16: E½SE¼ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being North 87°31'22" West 123.06 feet, more or less, from the Southeast Corner of Section 16, Township 13 North, Range 17 West, SLB&M, to the point of beginning, thence North 52°29'45" East 158.48 feet, more or less, ending at a point along the Eastern boundary of said Section 16. Containing .05 acre, more or less.

Township 13 North, Range 17 West, SLB&M

Section 32: W½NE¼, SW¼SW¼, E½SW¼, NW¼SE¼ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 88°59'47" East 44.25 feet, more or less, from the Northwest Corner of Section 5, Township 12 North, Range 17 West, SLB&M, to the point of beginning, thence North 26°50'34" East 693.97 feet, more or less, thence North 28°8'30" East 58.70 feet, more or less, thence North 31°39'52" East 58.55 feet, more or less, thence North 35°14'40" East 60.39 feet, more or less, thence North 38°56'48" East 64.27 feet, more or less, thence North 42°16'16" East 281.89 feet, more or less, thence North 45°15'44" East 438.01 feet, more or less, thence North 48°26'3" East 958.50 feet, more or less, thence North 47°44'27" East 195.10 feet, more or less, thence North 43°52'0" East 129.39 feet, more or less, thence North 38°43'46" East 64.05 feet, more or less, thence North 34°51'17" East 63.61 feet, more or less, thence North 30°51'8" East 63.40 feet, more or less, thence North 27°3'20" East 63.22 feet, more or less, thence North 21°6'55" East 127.40 feet, more or less, thence North 14°51'1" East 65.08 feet, more or less, thence North 10°57'47" East 135.57 feet, more or less, thence North 8°54'30" East 2508.90 feet, more or less, ending at a point along the Northern boundary of Section 32, Township 13 North, Range 17 West, SLB&M. Containing 2.21 acres, more or less.

Township 13 North, Range 18 West, SLB&M

Section 16: W½SW¼ (Within)

An easement, 16 feet in width, being 8 feet on the right side and 8 feet on the left side of the following described survey line:

Commencing at a point being South 88°42'32" East 1214.32 feet, more or less, from the Southwest Corner of Section 16, Township 13 North, Range 18 West, SLB&M, to the point of beginning, thence North 5°56'28" West 48.16 feet, more or less, thence North 5°2'52" West 60.54 feet, more or less, thence North 3°1'22" West 197.53 feet, more or less, thence North 6°55'58" East 24.66 feet, more or less, thence North 2°35'3" East 157.85 feet, more or less, thence North 2°0'7" East 72.81 feet, more or less, thence North 0°17'35" West 38.25 feet, more or less, thence North 4°52'6" West 109.18 feet, more or less, thence North 9°22'56" West 64.13 feet, more or less, thence North 15°49'37" West 103.64 feet, more or less, thence North 21°59'51" West 95.95 feet, more or less, thence North 26°8'29" West 126.95 feet, more or less, thence North 29°51'51" West 307.55 feet, more or less, thence North 30°27'3" West 163.17 feet, more or less, thence North 33°38'54" West 27.50 feet, more or less, thence North 40°21'55" West 158.10 feet, more or less, thence North 44°3'46" West 97.49 feet, more or less, thence North 49°46'57" West 83.26 feet, more or less, thence North 56°19'16" West 96.75 feet, more or less, thence North 62°44'3" West 71.65 feet, more or less, thence North 67°57'49" West 119.53 feet, more or less, thence North 70°50'9" West 85.84 feet, more or less, thence North 74°53'46" West 85.92 feet, more or less, thence North 75°31'4" West 125.37 feet, more or less, ending at a point along the Western boundary of said Section 16. Containing .92 acre, more or less.

EASEMENT NO. 939 - AMENDMENT NO. 2 (APPROVAL) (CONTINUED)

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

COUNTY: Box Elder

ACRES: 21.208

FUND: School

PROPOSED ACTION:

The applicant has requested this second amendment to Easement No. 939 in order to allow for the construction, operation, repair, and maintenance of an additional segment of a buried fiber optics communication line within T12N, R11W, Sec. 16. This additional line will extend service to Ruby Pipeline's Wildcat Hills compressor station, which is authorized under Special Use Lease No. 1664. The proposed new line will run alongside an existing county-maintained road and alongside an existing power line. The fiber optics line will be buried 4 feet deep. The proposed easement amendment corridor is 2,246.31 feet long and 16 feet wide, containing 0.825 acre. The entire easement corridor, as amended, will now contain a total of 21.208 acres. The term of the easement will remain 30 years with an expiration date of May 31, 2038.

RELEVANT FACTUAL BACKGROUND:

The application for this second amendment to Easement No. 939 was received on July 15, 2010. It was submitted for the Agency review on July 20, 2010, and was accepted by the Director on August 10, 2010.

Easement No. 939 was originally issued effective June 1, 2008, for a buried fiber optics communications line. The easement was issued for a 30 year term with an expiration date of May 31, 2038. The easement was subsequently amended on June 10, 2010, to allow for the construction of an additional segment of fiber optics line.

The proposed easement amendment is located entirely within an existing county-maintained road right-of-way and also within a previously disturbed power line corridor; therefore review by the Resource Development Coordinating Committee ("RDCC") was not required.

The project area has been surveyed for cultural resources in conjunction with the Ruby Pipeline project (U-08-A1-0075bspf, Appendix B35).

EVALUATION OF FACTS:

The Agency's Archaeology staff has reviewed the cultural resource documents submitted in support of the proposed easement amendment. No cultural resources were found within the project area, therefore cultural resource clearance has been granted for the project with a finding of "No Historic Properties Affected."

Upon recommendation of Mr. Chris Fausett, the Director approved the applicant's request for Amendment No. 2 to Easement No. 939. The term of the easement remains 30 years, beginning June 1, 2008, and expiring May 31, 2038. The amendment fee of \$400.00 and the easement rental assessment of \$816.84 have been paid.

EASEMENT NO. 998 - AMENDMENT NO. 1 (APPROVAL)**APPLICANT'S NAME AND ADDRESS:**

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

LEGAL DESCRIPTION:

Township 12 South, Range 16 East, SLB&M
Section 32: SE¹/₄NE¹/₄, N¹/₂SE¹/₄, SW¹/₄SE¹/₄, SE¹/₄SW¹/₄ (Within)

A 30' wide right-of-way 15' on each side of the following described centerline:

Beginning at a point on the East line of the SE¹/₄NE¹/₄ of Section 32, T12S, R16E, SLB&M, which bears N 00°08'22" E 174.63' from the East Quarter Corner of said Section 32, thence N 42°03'40" W 74.34'; thence N 52°53'41" W 82.64'; thence N 72°18'36" W 96.86'; thence S 88°54'53" W 76.61'; thence S 79°15'12" W 134.24'; thence S 70°13'31" W 193.73'; thence S 64°42'09" W 126.81'; thence S 45°04'21" W 94.01'; thence S 37°21'54" W 335.62'; thence S 38°11'21" W 257.23'; thence S 38°18'55" W 331.20'; thence S 38°35'15" W 335.47'; thence S 38°45'50" W 147.57'; thence S 38°03'52" W 227.71'; thence S 35°36'07" W 245.40'; thence S 27°41'22" W 125.22'; thence S 24°18'08" W 263.65'; thence S 19°44'31" W 234.07'; thence S 17°28'31" W 235.94'; thence S 53°15'09" W 69.35'; thence S 87°47'18" W 98.34'; thence S 75°34'26" W 140.78'; thence S 51°08'13" W 230.06'; thence S 50°29'06" W 87.77'; thence S 60°51'04" W 139.61'; thence S 65°30'29" W 135.68'; thence S 80°48'05" W 164.21'; thence N 77°57'39" W 134.12'; thence N 66°26'48" W 178.38'; thence N 53°33'31" W 150.78'; thence N 47°29'01" W 70.33'; thence N 34°40'40" W 122.67' to a point in the SE¹/₄SW¹/₄ of said Section 32 which bears N 76°54'46" E 1597.80' from the Southwest Corner of said Section 32. The side lines of said described right-of-way being shortened or elongated to meet the grantor's property lines. Basis of bearings is a G.P.S. observation. Contains 3.678 acres, more or less.

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

COUNTY: Carbon

ACRES: 3.68

FUND: School

PROPOSED ACTION:

Bill Barrett Corporation has requested to amend Easement No. 998 in order to allow for an additional 6-inch flex-steel pipeline and to extend the road corridor. Easement No. 998 was originally approved for the construction, operation, repair, and maintenance of an access road and 10-inch or less pipeline for a salt water injection well site. The applicant proposes to amend the original easement contract to include a 6-inch steel water pipeline within the 30 foot corridor and to extend the corridor by approximately 1,589.90 feet. The proposed amended road and utility easement corridor is 5,340.40 feet long and 30 feet wide, containing 3.68 acres. The term of the easement will remain 30 years, with an expiration date of July 31, 2025.

RELEVANT FACTUAL BACKGROUND:

The application to amend Easement No. 998 was received on August 6, 2010. It was submitted for the Agency review on September 1, 2010, and was accepted by the Director on September 15, 2010.

Easement No. 998 was originally issued effective July 1, 2005, to construct, operate, repair, and maintain an access road and 10-inch or less pipeline corridor for a salt water injection site located on trust lands. The original area of Easement No. 998 is 1.11 acres. This currently proposed amendment will be Amendment No. 1 to the easement agreement.

EASEMENT NO. 998 - AMENDMENT NO. 1 (APPROVAL) (CONTINUED)

The proposed easement amendment was sent to the Resource Development Coordinating Committee ("RDCC"), the Southeastern Utah Association of Governments, and the Carbon County Commission for review on August 26, 2010. Comments were received from the Utah Division of Air Quality as follows:

Utah Division of Air Quality

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

The project area has been surveyed for cultural resources by Montgomery Archaeological Consultants (#U-05-MQ-0176s).

EVALUATION OF FACTS:

The applicant has been notified of the comments received by the Utah Division of Air Quality.

The Agency's Archaeology staff has reviewed the cultural resource documents submitted in support of the proposed easement amendment. No significant cultural resources were found within the project area, therefore cultural resource clearance has been granted for the project with a finding of "No Historic Properties Affected."

Upon recommendation of Mr. Andy Bedingfield, the Director approved the applicant's request for Amendment No. 1 to Easement No. 998. The term of the easement remains 20 years beginning August 1, 2005, and expiring July 31, 2025. The amendment fee of \$400.00 and the easement rental assessment of \$6,149.55 have been submitted.

EASEMENT NO. 712 (ASSIGNMENT)

Medallion Exploration, 3165 E. Millrock Dr., Ste. #550, Holladay, Utah, 84121, has requested permission to assign 100% of its interest in Easement No. 712 to Slingshot, LLC, 3165 E. Millrock Dr., Ste. #550, Holladay, UT 84121. Easement No. 712 was issued on November 1, 2001, for a 4-inch surface gas pipeline. The easement was issued for a 30 year term.

The conditions set forth for assignment in Rule R850-40-1600 have been met. The required \$250.00 assignment fee has been paid. The additional rental of \$2,937.23 was paid pursuant to the requirements for reinstatement of Easement No. 712, as stated on the Director's Minutes of October 25, 2010. Uintah County. School Fund.

Upon recommendation of Mr. Andy Bedingfield, the Director approved the assignment of Easement No. 712.

EASEMENT NO. 1217 (ASSIGNMENT)

Kerr McGee Oil & Gas Onshore LP, c/o Anadarko Petroleum Corporation, P.O. Box 173779, Denver, Colorado, 80202, has requested permission to assign 100% of its interest in Easement No. 1217 to PacifiCorp DBA Rocky Mountain Power, 1407 West North Temple, Suite 110, Salt Lake City, Utah, 84116. Easement No. 1217 was issued February 1, 2007, for a 138 kV power transmission line.

The required \$250.00 assignment fee has been paid. No additional rental assessments are required for this assignment. The expiration date of the easement remains January 1, 2037. Uintah County. School Fund.

Upon recommendation of Mr. Andy Bedingfield, the Director approved the assignment of Easement No. 1217.

RIGHT OF WAY NO. 3324 (ASSIGNMENT)

Merrion Oil & Gas Corporation, 610 Reilly Ave., Farmington, New Mexico, 87401, has requested permission to assign 100% of its interest in Right of Way No. 3324 to Coastal Plains Energy, Inc., 420 Throckmorton Street, Suite 630, Fort Worth, Texas 76102. Right of Way No. 3324 was issued January 1, 1988, for a natural gas pipeline.

At the time of the last assignment for Right of Way No. 3324, a total of \$3,450.91 in rentals had been paid. The easement rental at today's rates would be \$5,463.94. 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 \$2,013.03 has been paid to the Trust Lands Administration. The required \$250.00 assignment fee has been paid. The expiration date of the easement remains December 31, 2016. Emery County. School Fund.

Upon recommendation of Mr. Andy Bedingfield, the Director approved the assignment of Right of Way No. 3324.

EASEMENT NO. 1280 (ASSIGNMENT - CLARIFICATION OF AGENCY RECORDS)

Milford Wind Corridor Phase I, LLC (the "Assignor"), c/o First Wind Energy, LLC, 179 Lincoln Street, Suite 500, Boston, Massachusetts, 20111, was granted permission by the Director on the Director's Minutes of May 3, 2010, to assign a 10.20% partial, undivided interest in Easement No. 1280 to Milford Wind Corridor Phase II, LLC, c/o First Wind Energy, LLC, 179 Lincoln Street, Suite 500, Boston, Massachusetts, 20111.

On the Director's Minutes of October 18, 2010, Agency records were clarified to reflect that the aforementioned approved assignment not become effective until the construction loan for Phase II of the project is finalized. The construction loan for Phase II of the project was finalized on October 20, 2010. Therefore, the effective date of the 10.20% partial assignment from Milford Wind Corridor Phase I, LLC to Milford Wind Corridor Phase II, LLC, is October 20, 2010. Millard and Beaver Counties. School Fund.

This item has been submitted by Mr. Andy Bedingfield for-record-keeping purposes.

EASEMENT NO. 1280 (RELEASE OF COLLATERAL ASSIGNMENT - CLARIFICATION OF AGENCY RECORDS)

Southern California Public Power Authority, a joint power agency created pursuant to the laws of the State of California, 225 South Lake Avenue, Pasadena, CA 91101 was granted permission by the Director on the Director's Minutes of May 10, 2010, for a Release of Collateral Assignment affecting 10.2% interest in Easement No. 1280 in the name of Milford Wind Corridor Phase I, LLC, c/o First Wind Energy, LLC, 179 Lincoln Street, Suite 500, Boston, Massachusetts, 02111 to be effective May 12, 2010.

On the Director's Minutes of October 25, 2010, Agency records were clarified to reflect that the aforementioned approved release of collateral assignment not become effective until the construction loan for Phase II of the project is finalized. The construction loan for Phase II of the project was finalized on October 20, 2010; therefore, the effective date of the Release of Collateral Assignment for 10.2% interest in Easement No. 1280 in the name of Milford Wind Corridor Phase I, LLC, is October 20, 2010. Millard and Beaver Counties. School Fund.

This item has been submitted by Mr. Andy Bedingfield for record-keeping purposes.

EASEMENT NO. 1280 (COLLATERAL ASSIGNMENT - CLARIFICATION OF AGENCY RECORDS)

Milford Wind Corridor Phase II, LLC was granted permission by the Director on the Director's Minutes of May 10, 2010, to collaterally assign 10.2% of its interest in Easement No. 1280 to Royal Bank of Scotland plc, 101 Park Avenue, New York, NY 10178, to be effective May 12, 2010.

On the Director's Minutes of October 25, 2010, Agency records were clarified to reflect that the aforementioned approved collateral assignment not become effective until the construction loan for Phase II of the project is finalized. The construction loan for Phase II of the project was finalized on October 20, 2010; therefore, the effective date of the Collateral Assignment for 10.2% interest in Easement No. 1280 in the name of Milford Wind Corridor Phase I, LLC, is October 20, 2010. Millard and Beaver Counties. School Fund.

This item has been submitted by Mr. Andy Bedingfield for record-keeping purposes.

SPECIAL USE LEASE AGREEMENTS**SPECIAL USE LEASE AGREEMENT NO. 543 (FIVE-YEAR REVIEW)**

SULA 543 is a government special use lease, in the name of Ashley Valley Water and Sewer, IMP District/Management Board, 1344 West Highway 40, Vernal, UT 84078. The lease site is located in Uintah County. School Fund.

1. ANNUAL BASE RENTAL:

The five-year lease rental review date for this government lease is January 1, 2011. The authorized use of the subject parcel is for a water tank site.

After a preliminary analysis pursuant to Board policy, the value of the subject property has been estimated to be approximately \$1,200.00/acre, with a total value of \$1,104.00.

SPECIAL USE LEASE AGREEMENT NO. 543 (FIVE-YEAR REVIEW) (CONTINUED)

Based on this analysis, it has been determined that an appraisal is not warranted and therefore, it is recommended that the CPI index be used to adjust the annual rental, which will be increased from \$784.00 per year to \$890.00 per year, effective January 1, 2011. A certified notice was sent informing the lessee of this action. There was no response.

Annual Base Rental: \$890.00

Acres in lease: .92

Rental per acre: \$967.39

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

The development allowed by the lease has occurred. It is recommended that the lease be kept in force.

3. **PROPER USE:**

The leased premises are being used in accordance with the lease agreement.

4. **ADEQUATE INSURANCE AND BOND COVERAGE:**

Insurance coverage is not presently required by the lease agreement. The lease allows for a bond to be required. An inspection of the subject property revealed nothing which indicated a need for a bond.

5. **WATER RIGHTS AND WELLS:**

There are no State-owned water rights associated with this lease. All the water rights associated with the use of the tank site are municipal rights owned by the improvement district.

6. **ENVIRONMENTAL COMPLIANCE:**

This lease was inspected and reviewed for environment compliance on April 14, 2010, and has been rated as low risk. There is no evidence of underground or above ground petroleum storage tanks, stained soil, 55-gallon drums/containers of any size, unauthorized uses, or solid waste on the premises. The site appears clean and orderly and hazardous materials, if any, are kept in an enclosed area with secondary containment. The Environmental Site Inspection Form is in the file.

7. **GIS REVIEW:**

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

8. **NEXT ASSESSMENT DATE:**

The next assessment date will be January 1, 2015.

Upon recommendation of Mr. Lou Brown, the Director approved the five-year review for SULA 543.

SPECIAL USE LEASE AGREEMENT NO. 1342 (THREE-YEAR REVIEW)

SULA 1342 is a government special use lease, in the name of the City of Moab, through the Moab Police Department, 217 E. Center Street, Ste. 130, Moab, UT 84532. The lease site is located in San Juan County. School Fund.

1. ANNUAL BASE RENTAL:

The three-year lease rental review date for this government lease is January 1, 2011. The authorized use of the subject parcel is for a shooting range & pistol qualification course.

After a preliminary analysis pursuant to Board policy, the value of the subject property has been estimated to be approximately \$25,000.00/acre, with a total value of \$54,000.00.

Based on this analysis, it has been determined that an appraisal is not warranted and therefore, it is recommended that the CPI index be used to adjust the annual rental which will be increased from \$2,350.00 per year to \$2,500.00 per year, effective January 1, 2011. A certified notice was sent informing the lessee of this action. There was no response.

Annual Base Rental: \$2,500.00

Acres in lease: 2.16

Rental per acre: \$1,157.41

2. DUE DILIGENCE AND PROPER USE:

The development allowed by the lease has occurred. It is recommended that the lease be kept in force.

3. PROPER USE:

The leased premises are being used in accordance with the lease agreement.

4. ADEQUATE INSURANCE AND BOND COVERAGE:

Lessee has provided proof of adequate insurance coverage. The lease allows for a bond to be required any time during the lease at the discretion of the Agency. An inspection of the subject property revealed nothing which indicated a need for a bond.

5. WATER RIGHTS AND WELLS:

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

6. ENVIRONMENTAL COMPLIANCE:

This lease was inspected and reviewed for environment compliance on May 4, 2010, and has been rated as high risk. Soil samples taken at the site indicated high levels of lead contamination in some of the berms used in the shooting area. The Agency met with the lessee regarding our concerns on the environmental issue on the lease. The lessee is going to work out a plan to remove the contaminated material and mediate the environmental concerns identified in our inspection. The Environmental Site Inspection Form is in the file.

7. GIS REVIEW:

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

8. NEXT ASSESSMENT DATE:

The next assessment date will be January 1, 2013.

Upon recommendation of Mr. Lou Brown, the Director approved the three-year review for SULA 1342.

SPECIAL USE LEASE AGREEMENT NO. 1396 (CORRECTION OF LEGAL DESCRIPTION)

The above numbered SULA, issued to Robert D. Nielson, P. O. Box 40214, Lynndyl, UT 84640, was approved on the Director's Agenda on October 18, 2010, with the following legal description, which is incorrect:

Township 16 South, Range 5 West, SLB&M
Section 2: SE¹/₄NW¹/₄

The correct legal description is as follows:

Township 16 South, Range 5 West, SLB&M
Section 2: SE¹/₄NE¹/₄

The acreage will remain the same.

The legal description on this lease has been reviewed by the GIS Group.

Upon recommendation of Mr. Ron Torgerson, the Director approved the correction of legal description.

TIMBER SALES

TA 825 (AMENDMENT OF CONTRACT EXPIRATION DATE)

Defa's Sawmill, Box 335, Tabiona, Utah 84072, has requested the expiration date of TA 825 (Bobby Duke) be extended from October 31, 2010, to October 31, 2011. Greater volumes than expected and a depressed market for logs is the reason for the extension.

The \$250.00 contract extension fee has been submitted. Wasatch County. School Fund.

Upon recommendation of Mr. Richard Wilcox, the Director approved the extension of time for TA 825.

ACTIONS CONTAINING FEE WAIVERS

NONE