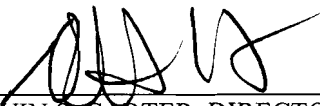


JANUARY 11, 2010

THE DIRECTOR OF THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION TOOK FORMAL ACTION ON JANUARY 11, 2010, 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 BECAME EFFECTIVE AT 6:00 P.M. ON JANUARY 11, 2010.

THESE MINUTES INCLUDE MINERAL ACTIONS AS LISTED ON PAGES 1 TO 3; SURFACE ACTIONS AS LISTED ON PAGES 3 TO 12; DEVELOPMENT ACTIONS AS LISTED ON PAGES 12 TO 13; AND ACTIONS CONTAINING FEE WAIVERS AS LISTED ON PAGE 13.

THESE MINUTES ARE DEEMED THE FINAL AGENCY ACTION CONCERNING THESE MATTERS AND MAY BE SUBJECT TO REVIEW AND/OR ADJUDICATION PURSUANT TO R850-8 OF THE AGENCY'S RULES. ANY APPEAL OF MATTERS CONTAINED WITHIN THESE MINUTES MUST BE IN WRITING, PURSUANT TO R850-8-1000, AND MUST BE RECEIVED BY THE OFFICE OF THE DIRECTOR BY 6:00 P.M. ON MONDAY, JANUARY 25, 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

METALLIFEROUS MINERALS LEASE APPROVAL

Upon recommendation of Mr. Stokes, the Director approved the Metalliferous Minerals Lease Application as 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 eight percent (8%) for fissionable minerals and four percent (4%) for non-fissionable minerals - based on the gross value of the ore. The land status has been examined utilizing both the plat books and the business system and the lands were found to be open and available. The application has been checked for completeness and found to be in proper order. The lease administrator has had this legal description reviewed by the GIS Group. The business system and plat books have been updated to show this lease application as an existing contract on the lands described below:

ML 51710
Ben Campbell
106 Forest Drive
Palestine, TX 75801

T30S, R24E, SLB&M.
SEC. 32: ALL

San Juan
640.00 Acres

Annual Rental: \$640

FUND: SCH

MERGER – URANIUM ONE UTAH INC. WITH AND INTO URANIUM ONE EXPLORATION U.S.A. INC. – ML 48168 – METALLIFEROUS MINERALS (SCH)

This office is in receipt of evidence that, effective November 12, 2009, Uranium One Utah Inc., merged with and into Uranium One Exploration U.S.A., Inc., 8055 E. Tufts Avenue, Suite 500, Denver, CO 80237, covering the above-numbered lease.

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

CORRECTION OF DIRECTOR’S AGENDA OF MAY 4, 2009 – ESMT 1284, SULA 1359, ML 48592, ML 48801, ML 48802, ML 48803, ML 48805, ML 48806, ML 48809, ML 48810, ML 48811, ML 49230, ML 49231, ML 49232, ML 49233, ML 49234, ML 49235, ML 49236, AND ML 49237 – OIL SHALE (SCH)

The Director, on May 4, 2009, noted the name amendment of Millenium Synfuels, LLC to Ambre Energy North *American*, Inc. (corrected to Ambre Energy North *America*, Inc. on May 26, 2009). It has come to our attention that the name amendment in fact went from Millenium Synfuels, LLC to *Ambre Energy Technology, LLC*.

This item was submitted by John Blake for record-keeping purposes only.

TOTAL ASSIGNMENT – OIL, GAS, AND HYDROCARBON LEASE

Upon recommendation of Ms. Garrison, the Director approved the assignment of the lease listed below to D. J. Simmons Company Limited Partnership, 1009 Ridgeway Place, Suite 200, Farmington, NM 87401, by SonJa V. McCormick. No override.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

SONJA V. MCCORMICK – 100%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

***D. J. SIMMONS COMPANY LIMITED
PARTNERSHIP – 100%***

...ML 51656 (SCH)...ML 51657 (SCH)....

OPERATING RIGHTS ASSIGNMENT – OIL, GAS, AND HYDROCARBON LEASE

Upon recommendation of Ms. Garrison, the Director approved the assignment of 17.625% interest in operating rights from Surface to Base of Green River Formation in part of lands: N $\frac{1}{2}$, SW $\frac{1}{4}$ (W $\frac{1}{2}$, NE $\frac{1}{4}$) Sec. 16, T10S, R18E, SLB&M., 480.00 acres, in and to the lease listed below to Questar Exploration and Production Company, 1050-17th Street, Suite 500, Denver, CO 80265, by Patriot Exploration Company Inc. No override, 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:

PENDRAGON ENERGY PARTNERS INC-100%

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

T10S, R18E, SLB&M. 480.00 ACRES

SEC. 16: W $\frac{1}{2}$, NE $\frac{1}{4}$ (N $\frac{1}{2}$, SW $\frac{1}{4}$)

PENDRAGON ENERGY PARTNERS, INC.-32.375%,

III EXPLORATION COMPANY-28.125%,

QUESTAR EXPLORATION AND PRODUCTION

COMPANY-21.875%,

PATRIOT EXPLORATION COMPANY INC.-17.625%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

PENDRAGON ENERGY PARTNERS INC.-100%

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

T10S, R18E, SLB&M. 480.00 ACRES

SEC. 16: W $\frac{1}{2}$, NE $\frac{1}{4}$ (N $\frac{1}{2}$, SW $\frac{1}{4}$)

QUESTAR EXPLORATION AND PRODUCTION

COMPANY-39.50%,

PENDRAGON ENERGY PARTNERS INC.-32.375%,

III EXPLORATION COMPANY-28.125%,

...ML 45175 (SCH)....

NAME CHANGE – CDX GAS, LLC TO VITRUVIAN EXPLORATION, LLC – ML 47562, ML 47563, ML 47564, ML 47565, ML 47566, ML 47567, ML 47568, ML 47569, ML 47570, ML 47571, ML 47572, AND ML 47573 – OIL, GAS, AND HYDDROCARBON (SCH)

This office is in receipt of evidence that, effective September 30, 2009, CDX Gas, LLC changed their name to Vitruvian Exploration, LLC, 1001 McKinney Street, Suite 1600, Houston, TX 77002, covering the above-numbered leases.

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

RANGE IMPROVEMENT PROJECT NO. 373 (CORRECTION OF MINUTES DATED DECEMBER 28, 2009)

The Director's Minutes of December 28, 2009, showed a wrong legal description for RIP 373. The description that was shown was:

Township 9 South, Range 17 West, SLB&M
Section 2: E $\frac{1}{2}$ E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 1

The correct description is as follows:

Township 9 North, Range 17 West, SLB&M
Section 2: E $\frac{1}{2}$ E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ of Lot 1

Box Elder County. School Fund.

Upon recommendation of Ms. Paula Lane, the Director approved the correction of the Minutes for December 28, 2009.

RIGHTS OF ENTRY**RIGHT OF ENTRY NO. 5416 (APPROVAL)**

On December 29, 2009, the School and Institutional Trust Lands Administration received an application from Kerr-McGee Oil & Gas Onshore LP, P.O. Box 173779, Denver, CO 80217-3779, to occupy the following described trust land located in Uintah County for the purpose of a man camp. The man camp will have two skid trailers for living quarters and offices, including one sewage tank and water tank placed at the State 1022-32A Well location.

Township 10 South, Range 22 East, SLB&M
Section 32: NE $\frac{1}{4}$ NE $\frac{1}{4}$ (within)

County: Uintah Acres: Approximately 3.50 Fund: School

This site will be used as temporary housing facilities while Kerr-McGee Oil & Gas Onshore LP completes activities on the State 1022-32A Well location.

A cultural resource survey will not be needed as this is an existing well pad. As new ground disturbance will not occur outside the permitted area, the Resource Development Coordinating Committee ("RDCC"), the Uintah Basin Association of Governments, and Uintah County were not notified.

The term of the right of entry will be for one year, with a commencement date of December 30, 2009, and expiration date of December 29, 2010. The fee for this permit is \$2,000.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$2,100.00.

Upon recommendation of Mr. Kurt Higgins, the Director approved Right of Entry No. 5416.

EASEMENTS**EASEMENT NO. 1269 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Coastal Plains Energy, Inc.
420 Throckmorton, Suite 630
Fort Worth, Texas 76102-3823

LEGAL DESCRIPTION:

Township 15 South, Range 9 East, SLB&M
Section 25: N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ (within)
Section 26: NE $\frac{1}{4}$ SE $\frac{1}{4}$ (within)

A 35 foot wide easement, being 17.5 feet on each side of the following described centerline:

Beginning at a point in Section 26, T15S, R9E, SLB&M, which point lies N 12°10'33" W 1393.53 feet from the southwest corner of Section 25, T15S, R10E, SLB&M, which beginning point is also the intersection of this easement and an existing Mountain Fuel gas line right-of-way, running thence N 74°08'56" E 2,988.14 feet; thence N 74°09'17" E 2,760.00 feet to a point, which ending point is also the intersection of this easement with the east boundary line of Section 25, T15S, R9E, SLB&M, and the west boundary line of Section 30, T15S, R10E, SLB&M. The land occupied by this easement is 4.619 acres, more or less, and the total length is 5,748.14 feet. Basis of bearings is the Utah State Plane Coordinate System, as established by the Carbon County Surveyor's Office.

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

COUNTY: Carbon

ACRES: 4.619

FUND: School

PROPOSED ACTION:

The applicant has requested a non-exclusive easement to operate, repair, and maintain an existing 4.5-inch diameter natural gas pipeline located within Sections 25 & 26, T15S, R9E, in Carbon County. This easement will replace Easement No. 530, which was canceled for non-payment in 2003. Easement No. 530 was originally issued by the Bureau of Land Management ("BLM") to Rancho Pipeline Company prior to the Agency's acquisition of the lands underlying the easement corridor. Rancho Pipeline Company has since abandoned the easement corridor. Coastal Plains Energy now desires to obtain a new easement for the corridor previously occupied by Rancho Pipeline Company and plans to utilize the existing pipeline to transport natural gas from their Miller Creek Field to a Questar connection at the western end of the pipeline in Section 26. The proposed easement corridor is 5,748.14 feet long and 35 feet wide, containing 4.619 acres. The requested term of the easement is 7 years.

RELEVANT FACTUAL BACKGROUND:

The subject "Application to Purchase an Easement" was received on April 17, 2007. It was submitted for the Agency's review on May 7, 2007, and was accepted by the Director on May 21, 2007.

The proposed easement was exempt from review by the Resource Development Coordinating Committee ("RDCC") since it is a reauthorization of an existing use and will involve no new ground disturbance.

During the Agency review period, the Oil & Gas Group requested that an integrity test of the pipeline be completed by the applicant in order to assure that the pipeline is in good operating condition prior to the issuance of an easement.

EASEMENT NO. 1269 (APPROVAL) (CONTINUED)**EVALUATION OF FACTS:**

Pursuant to the request for a pipeline integrity test made by the Oil & Gas Group, the applicant submitted the following statement:

"In both May 2009 and October 2009, Coastal Plains Energy, Inc. tested the 4.5-inch steel line with air compressors to 125 psig. This pressure is 5 times the operating pressure we will be utilizing on the system. We have designed this system to operate at 25 psig."

The Agency's Archaeology staff has reviewed the proposed easement and has determined that, since it is for an existing pipeline with no new ground disturbance, a cultural resource survey will not be required.

Upon recommendation of Mr. Chris Fausett, the Director approved the applicant's request for a non-exclusive easement. The term of the easement will be for 7 years beginning January 1, 2010, and expiring December 31, 2016. The application fee of \$600.00 and the easement rental assessment of \$4,180.47 have been submitted. Pursuant to R850-40-1800, an administrative fee will be due every three years throughout the term of the easement with the first payment being due on January 1, 2013.

EASEMENT NO. 1507 (APPROVAL)**APPLICANT'S NAME AND ADDRESS:**

Steven B. Olschewski
4275 Heather Lane
Moab, Utah 84532

LEGAL DESCRIPTION:

Township 26 South, Range 21 East, SLB&M
Section 33: SW $\frac{1}{4}$ NW $\frac{1}{4}$ (within)

A 10 foot wide easement, 5.0 feet on each side of the following described centerline in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T26S, R21E, SLB&M, San Juan County, Utah, more particularly described as follows:

Beginning at a 4-inch P.V.C. riser which bears N 73°17'25" E 2084.79 feet from the west $\frac{1}{4}$ corner of Section 33, T26S, R21E, SLB&M, and proceeding thence S 88°32'07" W 675.30 feet more or less to the westerly line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 33 and easement terminus. Containing 0.16 acres more or less.

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

COUNTY: San Juan

ACRES: 0.16

FUND: School

PROPOSED ACTION:

The applicant has requested a non-exclusive easement to operate, repair, and maintain an existing 6-inch diameter buried irrigation pipeline. The pipeline has been in existence for several years and is used by the applicant to transport water from Kane Creek to the applicant's private property. The applicant is now requesting an easement for the pipeline in order to resolve this trespass on trust lands. The proposed easement corridor is 675.30 feet long and 10 feet wide, containing 0.16 acres. The requested term of the easement is 30 years.

EASEMENT NO. 1507 (APPROVAL) (CONTINUED)**RELEVANT FACTUAL BACKGROUND:**

The subject "Application to Purchase an Easement" was received on July 6, 2009. It was submitted for the Agency's review on July 27, 2009, and was accepted by the Director on August 10, 2009.

The proposed easement was exempt from review by the Resource Development Coordinating Committee ("RDCC") since it is being issued to resolve an unauthorized encroachment on trust lands and will involve no new surface disturbance.

EVALUATION OF FACTS:

The Agency's Archaeology staff has reviewed the proposed easement and has determined that, since it is an authorization of an existing use with no new surface disturbance, a cultural resources survey will not be required.

Pursuant to Utah Code Section 53C-2-301(2)(c), a penalty of three times the consideration which would have normally been charged for the easement has been assessed to resolve the trespass.

Upon recommendation of Mr. Chris Fausett, the Director approved the applicant's request for a non-exclusive easement. The term of the easement will be for 30 years beginning January 1, 2010, and expiring December 31, 2039. The application fee of \$750.00 and the easement rental assessment of \$491.13 have been submitted. Furthermore, trespass damages in the amount of \$982.25 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 on January 1, 2013.

RIGHT OF WAY NO. 2787 (ASSIGNMENT AND AMENDMENT NO. 1)

Monroe Mountain View Ranch, c/o Evon Payne, 2500 South Brooklyn Road, Monroe, Utah, 84754, has requested permission to assign 100% of its interest in Right of Way No. 2787 to Eleanor Z. Johnson, 1625 West 2260 South, Monroe, Utah, 84754. Right of Way No. 2787 was issued for a perpetual term on May 8, 1984, for a buried 10" water pipeline.

Pursuant to Rule R850-40-1600(1)(b), the term of the right-of-way has been amended from a perpetual term to a term of years such that it will now expire in 15 years from the effective date of the amendment. The expiration date will be February 28, 2023.

When this right-of-way was issued in 1984, an easement rental assessment of \$280.00 was paid. The easement rental assessment at today's rates would be \$960.00. 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 \$680.00 has been paid to the Trust Lands Administration.

It has been determined that the legal description of the right-of-way as currently written does not define the width of the right-of-way corridor. Therefore, as part of this Amendment No. 1, the legal description of the right-of-way has been amended to define the width of the right-of-way corridor to be 20 feet.

PREVIOUS LEGAL DESCRIPTION:

Township 25 South, Range 3 West, SLB&M
Section 29: W½SW¼ (within)

Beginning at the southwest corner of Section 29, extending 1320 feet east along township line to Evon Payne property line.

RIGHT OF WAY NO. 2787 (ASSIGNMENT AND AMENDMENT NO. 1) (CONTINUED)

AMENDED LEGAL DESCRIPTION:

Township 25 South, Range 3 West, SLB&M
Section 29: SW $\frac{1}{4}$ SW $\frac{1}{4}$ (within)

A 20 foot wide easement running along the south section line of Section 29, T25S, R3W, SLB&M, said easement beginning at the southwest corner of said Section 29 and extending 1320 feet east along the south section line to the southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 29. Containing 0.61 acre more or less.

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

The required \$250.00 assignment fee has been paid. All requirements for assignment pursuant to Rule 850-40-1600 have been met. Sevier County. School Fund.

Upon recommendation of Mr. Chris Fausett, the Director approved the assignment as outlined above and Amendment No. 1 to Right of Way No. 2787.

EASEMENT NO. 1215 (ASSIGNMENT)

Lawrence Frandsen, P.O. Box 411, Panguitch, Utah, 84759-0411, has requested permission to assign 100% of his interest in Easement No. 1215 to David E. Sorensen, Trustee of the David E. Sorensen 1995 Trust dated April 10, 1995, as amended, 30582 Hunt Club Drive, San Juan Capistrano, California, 92675. Easement No. 1215 was issued on January 1, 2007, for an existing access road. The easement was issued for a term of 30 years. Pursuant to Rule R850-40-1600, it has been determined that there is no difference between the rental that was originally paid for the easement and the rental that would be charged for the easement at this time; therefore, no additional easement rental is required.

The required \$250.00 assignment fee has been paid. The expiration date of the easement remains December 31, 2036. Garfield County. School Fund.

Upon recommendation of Mr. Chris Fausett, the Director approved the assignment of Easement No. 1215.

EASEMENT NO. 1252 (ASSIGNMENT)

Nancy Orr, 394 West 400 North, Moab, Utah, 84532, has requested permission to assign 100% of her interest in Easement No. 1252 to Phil Triolo and Associates LLC, 401(K) Profit Sharing Plan and Trust (EIN 26-1727349), 148 South 1200 East, Salt Lake City, Utah, 84102. Easement No. 1252 was issued effective May 1, 2007, for an existing access road. The easement was issued for a term of 30 years. Pursuant to Rule R850-40-1600, it has been determined that there is no difference between the rental originally paid for the easement and the rental that would be charged for the easement at this time; therefore, no additional easement rental is required.

The required \$250.00 assignment fee has been paid. The expiration date of the easement remains April 30, 2037. Grand County. School Fund.

Upon recommendation of Mr. Chris Fausett, the Director approved the assignment of Easement No. 1252.

EASEMENT NO. 1423 (CORRECTION OF DIRECTOR'S MINUTES DATED NOVEMBER 10, 2008)

On the Director's Minutes of November 10, 2008, the Director approved Easement No. 1423 for two buried fiber optic communication lines located within Section 32, T1N, R11W, in Tooele County. The easement was granted to the Department of the Air Force, Hill Air Force Base, Attn: Base Civil Engineer, 75 CEG/CEAAR, 5713 Lahm Lane, Bldg. 593N, Hill AFB, Utah, 84056-5410. The term of the easement was listed incorrectly in the minutes as a *30 year term with a beginning date of November 1, 2008, and an expiration date of October 31, 2038*. The minutes should be corrected to list the term of the easement as a **25 year term with a beginning date of June 15, 2009, and an expiration date of June 14, 2034**. Tooele County. School Fund.

Upon recommendation of Mr. Chris Fausett, the Director approved the correction to the Director's Minutes dated November 10, 2008.

EASEMENT NO. 1437 (CORRECTION OF DIRECTOR'S MINUTES DATED APRIL 6, 2009)

On the Director's Minutes of April 6, 2009, the Director approved Easement No. 1437, issued to UNEV Pipeline, LLC, 2100 N. Redwood Road, Suite 85, Salt Lake City, Utah, 84116. The easement was issued for the construction, operation, repair, and maintenance of a 12-inch diameter buried liquid petroleum products pipeline. It has been determined that the tract of land identified as Tract No. UT-MI-226 was incorrectly listed as being part of the easement corridor. The lands underlying this tract are not owned by the Trust Lands Administration; therefore, the minutes should be corrected to remove the legal description of Tract No. UT-MI-226. The portion of the legal description to be stricken from the minutes is listed as follows:

LEGAL DESCRIPTION:

Township 21 South, Range 9 West, SLB&M

Section 36: E $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ (within)

Tract No. UT-MI-226

A strip of land 50.0 feet wide located in Section 36, T21S, R9W, SLB&M, Millard County, Utah and being 25.0 feet left and right of its centerline. Also, a temporary construction easement being 25.0 feet along the right side of said 50.0 foot wide strip of land. Said centerline being more particularly described as follows:

Beginning at a point on the north line of Section 36, T21S, R9W, SLB&M, which lies S 89°59'00" W along the section line 655.85 feet from the northeast corner of said Section 36 and running thence S 08°32'17" W 2602.77 feet; thence S 07°57'34" W 359.88 feet; thence S 08°38'57" W 1201.75 feet; thence S 09°03'06" W 405.18 feet; thence S 08°43'16" W 770.98 feet, more or less, to a point on the south line of Section 36, which lies S 89°58'09" E 1188.71 feet along the section line from the south quarter corner of said Section 36. Total length of centerline is 5340.56 feet (323.67 rods). Containing 6.130 acres, more or less.

COUNTY: Millard

ACRES: 6.130

FUND: N/A

This above referenced tract was not included in the easement document; therefore, an amendment of the document will not be required.

Upon recommendation of Mr. Chris Fausett, the Director approved the correction to the Director's Minutes dated April 6, 2009.

SPECIAL USE LEASE AGREEMENTS**SPECIAL USE LEASE APPLICATION NO. 1518 (WITHDRAWAL OF APPLICATION)**

DW Holdings, LLC, 2420 Commanche Road, NE Suite H-1, Albuquerque, NM 87199, has withdrawn the above-referenced telecommunication lease application for a cell tower. After significant review, the site on trust lands was determined by the applicant to be a more difficult site to build on because of the access and terrain. The applicant is choosing an alternate site on other lands in Emery County.

No application fee or any other monies were received from the applicant; therefore, there is no refund due to the applicant. Fund: School. County: Emery.

Upon recommendation of Mr. Gary Bagley, the Director approved the above-described withdrawal of SULA 1518.

SPECIAL USE LEASE AGREEMENT NO. 1602 (WITHDRAWAL OF APPLICATION AND REFUND)

The above numbered special use lease application was received on August 14, 2008, from the Town of Castle Valley, HC 64 Box 2705, Castle Valley, UT 84532-9605. The applicant has requested that this application be withdrawn. The lessee has also requested a refund of the first year's rental which was paid in the amount of \$1,300.00. The advertising fee of \$75.00 and application fee of \$250.00 are forfeited to the Trust Lands Administration. **A refund of the \$1,300.00 rental should be sent to the Town of Castle Valley, HC 64 Box 2705, Castle Valley, UT 84532-9605.**

Upon recommendation of Mr. Lou Brown, the Director approved the withdrawal of SULA 1602, with the advertising and applications fees being forfeited, and ordered **a refund in the amount of \$1,300.00 be sent the Town of Castle Valley.**

SPECIAL USE LEASE APPLICATION NO. 1660 (WITHDRAWAL OF APPLICATION AND REFUND)

The above numbered special use lease application was received on August 3, 2009, from Element Power, 421 SW Sixth Avenue, Suite 1000, Portland, OR 97204. The applicant has requested that this application be withdrawn as they do not want to pursue the lease at this time. The applicant has paid the \$250.00 application fee twice, and \$80.00 of the advertising fee. The advertising fee was paid in advance and was short \$5.65. The advertising fee was \$85.65. Therefore, \$5.65 from the overpayment of the application fee will be deducted to cover the advertising cost. **The excess of \$244.35 should be refunded to the applicant.** Tooele County. School Fund.

Upon recommendation of Mr. Lou Brown, the Director approved the withdrawal of SULA 1660, the forfeiture of the \$250.00 application fee and the \$85.65 advertising fee, and ordered **a refund in the amount of \$244.35 be sent to Element Power.**

PREDESIGNATIONS

PREDESIGNATION NO. 763 - ARCHAEOLOGICAL CONSULTANT SERVICES AGREEMENT (APPROVAL)

NAME AND ADDRESS OF PARTY TO AGREEMENT:

Kane County Water Conservancy District
190 West Center Street, Suite 200
Kanab, Utah 84741

PROJECT MANAGER:

Kenny Wintch

LEGAL DESCRIPTION:

Township 44 South, Range 6 West, Sections 3 and 10 (within; archaeological sites subject to this agreement are generally depicted on Exhibit A to the agreement)

*This agreement concerns archaeological sites located on Section 10 (which portions are owned by the Trust Lands Administration), as well as sites located in Section 3 (which portions of surface estate are owned by Kane County Water Conservancy District).

COUNTY: Kane

Fund: Miners Hospital

RELEVANT FACTUAL BACKGROUND:

The Trust Lands Administration manages certain trust lands near Kanab in Kane County (the "Trust Lands Property"). The Trust Lands Administration is in the process of negotiating with Kane County Water Conservancy District (the "District") for the lease of the Trust Lands Property to be used as a portion of the proposed Jackson Flat Reservoir. The District owns lands adjacent to the Trust Lands Property that it also intends to use for the reservoir (the "District Property"). The District intends to utilize federal funds for the construction of the reservoir and will be required to conduct certain cultural resource mitigation measures on nine archaeological sites located on both the Trust Lands Property and the District Property (together, the "Properties") in order to comply with state and federal law.

PROPOSED ACTION:

The Trust Lands Administration has agreed to hire third-party consultants to conduct the required data recovery investigations and mitigation measures on the Properties. The Trust Lands Administration will also act as the project manager for these services. The District will pay all costs and expenses incurred by these consultants associated with the project. The District has agreed to record a trust deed for the benefit of the Trust Lands Administration against 253.07 acre-feet of water in Water Right No. 85-1124 and 124.075 acre-feet of water in Water Right No. 85-29 in the office of the Kane County Recorder. The trust deed will be executed concurrent with the execution of the agreement and will be security for the District's obligations under the agreement, including the obligation to pay for the services of the third-party consultants. In the event of a default under the agreement by the District, the Trust Lands Administration will have the right to foreclose on the trust deed. The agreement will be in effect until all cultural resource mitigation measures on the Properties, as required by applicable state and federal law, have been completed.

Upon recommendation of Mr. Kenny Wintch, the Director approved the Archaeological Consultant Services Agreement.

TIMBER SALES

TIMBER SALE NO. 845 (REQUEST FOR EXTENSION OF TIME)

Sargent Timber Company, L.L.C., P.O. Box 125, Oakley, Utah 84055, has requested the expiration date of this contract be extended from December 31, 2009, to March 31, 2010. The \$250.00 amendment fee has been paid. Wasatch County School Fund.

Upon recommendation of Mr. Richard Wilcox, the Director approved the extension of time for TA 845.

DEVELOPMENT ACTIONS

DEVELOPMENT SUBDIVISION SALE

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

SUBD 14.0 Casitas At Hidden Valley 2nd Amended and Extended.

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

LEGAL DESCRIPTION: (SUBDIVISION)

Section 7, Township 43.0 S, Range 15.0 W, SLBM
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 53	26419-14-53	12/23/09	19990-14-53	01/31/07	\$16,800.00	\$100.00	0.04	SCH	18

The legal description has been reviewed by the GIS Group.

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:

SUBD 12.0 Estates At Hidden Valley Phase 1

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 / Lot	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acres	Fund	Section
Lot 47	26417-12-47	12/21/09	19989-12-47	01/31/07	\$26,290.00	\$100.00	0.16	SCH	18

The legal description has been reviewed by the GIS Group.

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.

ACTIONS CONTAINING FEE WAIVERS

NONE