



## Board of Trustees Meeting Minutes

102 South 200 East, #600, Salt Lake City, Utah 84111

Thursday, May 15, 2025

**10:00 a.m.**

### Board Members

#### Present at Anchor location

Warren Peterson, Chair

Tiffany James, Co-vice Chair

Mike Mower [initial part of meeting]

Dan Simons

John Baza

Mike Nelson

#### Remote/Online

Bryan Harris, Co-vice Chair

### Attending Staff & Public

Michelle McConkie, Executive Director

Stephanie Barber-Renteria, Managing Director, Energy & Minerals

Chris Fausett, Managing Director, Surface Resources

Tyler Wiseman, Geoscientist & Lease Manager for Energy and Minerals

Andy Bedingfield, Assistant Director for Energy and Minerals

Mike Johnson, Chief Legal Counsel

Chris Shiraldi, Legal Counsel

Keli Beard, Legal Counsel

Tonya Mortensen, Legal Secretary

Brent Kasza, TLA Special Agent, Attorney General's Office

Marcos Santana, IT Support

Vince Wayodi, IT Support

Marla Kennedy, Director of Communications & Governmental Affairs

Joelette Organista, Communications Specialist

Kim Christy, Land Trusts Protection & Advocacy Office (LTPAO)

Liz Mumford, Land Trusts Protection & Advocacy Office (LTPAO)

Sheri Mattle, Utah PTA, TLA Specialist

Paula Plant, Utah State Board of Education (USBE)

### Attending Staff & Public (continued)

Kira Bennett, Utah State Board of Education (USBE)

Margaret Bird

John Andrews, Snell & Wilmer

### WELCOME

At 10:03 a.m., Chair Peterson welcomed the Board, staff, and visitors; and opened the meeting.

### MINUTES

Chair Peterson accepted Mr. Mower's motion that the board approve the minutes of the April 17, 2025, board meeting. Ms. James seconded the motion. The vote was unanimous in the affirmative.

Yea	Nay	Absent
Chair Peterson Vice-Chair Harris Vice-Chair James Mr. Baza Dr. Nelson Mr. Mower		Mr. Simons

### Confirmation of Upcoming Meeting Dates

June 19, 2025 – Regular Meeting *[Ms. James will be excused; Mr. Mower will be excused]*

July 17, 2025 – New Board Member Orientation (no regular meeting)

August 21, 2025 – Regular Meeting (new leadership elected)

September 18, 2025 – Regular Meeting *[Mr. Mower may have a scheduling conflict]*

### TRUST LAND FUNDS IN ACTION

Ms. Kennedy explained that today's presenter, Principal Weaver from Granite School District, was not available due to the busy graduation schedule, but will be able to attend a future Board meeting. In lieu of a presentation, Ms. Kennedy informed the

Board of the receipt of personal letters to each of the board members from several principals, along with the superintendent, who all expressed gratitude about the good work that TLA is doing for the benefit of their schools. Those letters were emailed to the Board today. Ms. Kennedy plans to post the letters/testimonials on the TLA website.

### **SOCIAL MEDIA MINUTE**

Ms. Organista shared two videos she created for TLA's social media page.

- First video about the Board Tour received 2.1k Views; 26 Likes; 22 Shares; 1 Follow.
- Second video about Desert Color development in Washington County received 2k Views; 55 Likes; 1 Share, 1 Follow.

Ms. Organista explained to the Board how she uses music and video styles coupled with information to increase engagement with those on social media. Desert Color partnered with TLA on the second video, so it also shows up in their feed as well.

### **PUBLIC COMMENTS**

Chair Peterson read the agenda item on public comments and asked if anyone was present in person or online to offer comment. There were no public comments from within the boardroom or online.

### **CHAIR'S REPORT**

Chair Peterson highlighted the 'extraordinary' level of activity on trust lands this past year, and congratulated TLA staff for their accomplishments. He commended Director McConkie for her excellent leadership and the good work the Agency is doing.

He spoke about an evaluation under legislative leadership regarding the Land Trust Protection and Advocacy Office as an example of the constantly changing landscape in which Trust Lands Administration must operate.

Chair Peterson mentioned that the Board has received feedback from legislators who are planning for the next legislative session and are interested in the work TLA does. He said that for a number of reasons TLA should continue with an eye to the future to be prepared to keep pace with business and technological changes.

## DIRECTOR'S REPORT

Director McConkie shared information about recently attending the following events:

- Governor's Nuclear Energy Summit in Salt Lake City
- Utah Association of Counties conference in St. George – attended by Director McConkie, Mr. Fausett, Ms. Barber Renteria, Mr. Johnson, Mr. Pasley, and Ms. Kennedy. The agency representatives were on a panel reporting on the Dingell Exchange. Mr. Johnson gave a presentation about the Land Exchange Distribution Account (LEDA). Though the panel received some difficult questions; good conversations were had as well. Networking was a success.
- Box Elder School Board Meeting, highlighting Garland Elementary which won TLA's video contest to show how their school is using Trust Lands funds. Because that meeting was well attended, TLS received a lot of positive exposure. Director McConkie was delighted to present Garland Elementary with a "big check" for winning the contest. The winning video was then shown.
- PTA Convention – Director McConkie also confirmed that TLA had a booth at the 2025 PTA convention. This was also deemed a success due to meeting, conversing, and networking with teachers, administrators, and school Community Council members.

Director McConkie turned the time over to Ms. Kennedy and Ms. Organista to present TLA's new Rural Outreach Campaign. The presentation can be found at <https://www.utah.gov/pmn/files/1273197.pdf>. Ms. Kennedy described the plan to integrate TV, streaming, radio, podcast, social media, print, and in-app banner ads to foster a broader and more comprehensive understanding of TLA's positive contributions to rural Utah schools and rural economies.

She said the target audiences for the campaign are primarily 30-55-year-olds, and secondarily 56+ year-old residents in 14 rural counties off the Wasatch Front throughout the state of Utah. She also said the plan is to run this campaign from the first full week of May 2025 to the end of September 2025. The campaign integrates with meetings between Trust Lands and other organizations active in rural Utah. Ms. Kennedy noted that all individuals in the ads are TLA lessees, not paid actors, and the ads were created on Trust lands, with the assistance of Rumor Advertising. The TV ads will have one 30-second spot and three 15-second spots. The area-specific print ads will be featured in 11 rural news publications, billboards placed along strategic routes in Southern Utah, and

three different social media ads. All ads were shown by Ms. Organista during the presentation.

Ms. Kennedy explained that the overall success of this strategic outreach campaign can be measured by the response of those who are in the less populated portions of our state as they learn and understand how trust lands impact local populations and economies, and the degree to which they engage with the Administration. Ms. Kennedy and Ms. Organista described the types of media used in the campaign and shared the video and print media materials.

Chair Peterson thanked everyone who worked on the campaign for their time and effort in bringing something to fruition that will provide value to the Trust Land beneficiaries. He also mentioned that those in the various communities are grateful that they have some control of how the Trust Lands funds are spent in their areas and this campaign will clarify how these funds help in their areas. He also suggested there might be more sectors of the rural population that could be represented in the ads. Ms. Kennedy replied that the campaign is evolving and will take the suggestion into account.

Mr. Mower commented on the importance of this advertising campaign, and how he is excited about area specificity. Just as important, he said, sharing this information is great for Utah's opinion leaders such as the Governor, Lt. Governor, legislators, etc.

Chair Peterson allowed Ms. Margaret Bird, a member of the public, to approach the board to inquire how TLA intends to measure the impact of this campaign and if a survey for baseline information was done prior to the launch. She also asked how much the outreach campaign will cost. Ms. Kennedy reassured her that TLA has partnered with a research firm and has done the requisite and extensive market research, due diligence, and appropriate tracking analytics, which are ongoing. Regarding the actual cost of the campaign, Ms. Kennedy stated the Rural Outreach Campaign is very thorough and a well-thought-out plan with a budget. She said she can circle back with information on the actual cost as the invoices are received.

Ms. James commented, with congratulations, on the importance of advertising analytics, the impact of advertising in many arenas, how the state-wide awareness of the Trust Lands Administration has increased significantly in just a few years' time, and agreed that it is money well spent.

Chair Peterson added that there is a knowledge gap in rural Utah regarding Trust purposes and awareness can help guide those local communities on how best to apply their Trust Lands funds.

Ms. Kennedy gave assurance that the measurable analytics can be reviewed after 3- and 6-month periods to assess the success of this campaign.

### ADVOCATE'S REPORT

Mr. Christy acknowledged the presence of Sheri Mattle from the Utah PTA, who will be a liaison to TLA as a Trust Lands Specialist for the Utah PTA. He also said the Advocacy Office (LTPAO) had a successful booth at the recent PTA Convention, in partnership with Kira Bennett and Marcus Chen from the Utah Office of Education. He also mentioned that the PTA recognized Paula Plant, of the Utah State Board of Education, by awarding her the well-deserved "Friend of Children Award" for her work as director of the School LAND Trust Program.

Mr. Christy reported that the legislative study group that is evaluating whether to continue the Land Trust Protection and Advocacy Office has met three times and will meet three more times until September in response to the legislative audit of the LTPAO. The group is currently focusing on creating specific statutory language for legislative consideration on whether to preserve the independent advocacy office and its governing body. He was appreciative of the expertise of Chair Peterson and Mr. Michael Johnson, who are both serving on the legal subcommittee of the study group.

Mr. Christy addressed the issue of potential reduction in legislative funds for the College of Mines and Earth Science at the University of Utah due to dwindling enrollment numbers. He expressed concern that there is not sufficient understanding of the importance of mineral development and the potential for higher salaries in the industry received by graduates from the program. Mr. Christy mentioned a meeting with the interim Dean of the college, Pearl Sandik, to discuss and possibly dissect future opportunities with LTPAO to increase advocacy with the College and, by extension, the legislature.

Mr. Christy cited HB 262 passed two legislative sessions ago, which allowed TLA to execute large land block transactions of 5000 acres or greater with the State of Utah, without utilizing a competitive bid process. Administrative rules concerning implementation of this bill are currently being drafted, he said, and he is appreciative of the opportunity to provide input to Director McConkie and staff.

Finally, Mr. Christy raised the issue of outstanding credits for quantity grants and in lieu selections for certain beneficiaries and outstanding credits that remain to be applied on behalf of these beneficiaries. He presented the question of how the matter should be addressed for the sake of the affected beneficiaries' portfolios. He said he raised the question to be sure knowledge of these pending selections is part of the organizational memory.

Dr. Nelson reported a conversation with a representative of the College of Mines on the amount of funds received. Mr. Christy reported the amount of funding provided to the College of Mining. He also said discussion about how the beneficiaries outside of public education receive and account for use of their trust lands funds has recently been a topic of concern for the Advocacy Office.

Mr. Simon asked a question about a recent news report about a congressional bill sponsored by Congresswoman Maloy, proposing transfer of certain federal lands to Utah counties. Director McConkie responded to Mr. Simon's question and gave assurance that TLA is monitoring the bill and its potential impact on the affected trust beneficiaries.

## **ACTION ITEMS**

Ms. Barber-Renteria spoke generally regarding the Energy & Mineral Action Items being presented in this meeting. She said the E&M Group has recently had reason to look broadly at leases rates on mineral resources and has engaged in extensive research and review of industry and market conditions. She said proposed actions being presented represent a change in TLA philosophy. She said there is a change in TLA's market philosophy and way of doing business, because some of the practices previously applied may have been driving some business away due to initially high royalty rates. She said there are sound business reasons to look at such leases in a broader context. Dr. Nelson commented that he was given opportunity to review the staff reports and could confidently affirm the high quality of Mr. Wiseman's research on this issue. Dr. Nelson said, "If I were still teaching, I would be using his report."

**Action Item 10a.** Mr. Wiseman presented a proposed amendment to Uranium Lease, ML 49703 OBA, with IsoEnergy, Ltd. on land in Garfield County (640 acres). The beneficiary is Schools. The presentation can be found at <https://www.utah.gov/pmn/files/1273199.pdf>. This is an older OBA approved by the

Board in 2005 that was tied with an effort by the Board to examine the potential of making Trust Lands property as “a kind of energy hub.” Later, the Tony M uranium mine was founded under that concept. This long-term OBA with Energy Fuels was acquired by the current tenant, ISO Energy, in 2021. The current operator, IsoEnergy, is hoping to get the mine back into operation in the near term. Mr. Wiseman explained that two (2) mine portals, one (1) active, the other non-active, are on Trust Lands property on the southern edge of Section 16, T35S R11E, that this lease has fulfilled its primary term, has had a readjustment under the terms of the agreement, and this would be the second readjustment. He said it is important to note that only a fraction of the mineral deposits in this area are on trust lands; the majority are found on land subject to federal mining claims.

Mr. Wiseman clarified that after some research and careful consideration regarding the economics of the uranium deposit and the grade of the ore, the staff is proposing that the Board adjust ML 49703 OBA by reducing the royalty rate from the original 8% to 3% on the gross value of fissionable metalliferous minerals, f.o.b. the mine, sold under an arm’s length transaction. This proposal was brought before the Mineral committee in April 2025 and was reported to be consistent with other western states’ royalty rates. IsoEnergy also requested a change to the structure for minimum royalties paid to be creditable against future production royalties. Then, from years four (4) to 10 the royalty will be as stated in the memorandum. Iso Energy is a good operator, well-funded, and active in other areas in the eastern U.S. and internationally.

Dr. Nelson commented that this lease with this operator who has the setup ready to go, sends a signal to the industry at large that uranium can be mined and processed in Utah and the business infrastructure is in place to support the industry.

Chair Peterson posed a question about transport/wheeling fees being a common thing in Trust Land lease agreements. Mr. Wiseman stated it is not common on TLA agreements since TLA does not usually have underground mining for metalliferous minerals. Mr. Bedingfield clarified that the language for such is included in all TLA leases, but in practice it is rare. Dr. Nelson described historical conditions which led to use of this provision in the mining industry.

Dr. Nelson moved that the board approve the adjustment to Uranium Lease ML 49703 OBA for royalty reduction as set out in the Board memorandum. Mr. Harris seconded the motion. The vote was unanimous in the affirmative.



Chair Peterson  
Vice-Chair Harris  
Vice-Chair James  
Mr. Baza  
Dr. Nelson  
Mr. Simons  
Mr. Mower

**Action Item 10b.** Mr. Wiseman presented a Proposed Modification to Exploration Agreement and Option to Lease, ML 54558 OBA, with Kinross Gold on land in Beaver County (17,375.88 acres) in the Blawn Mountain area at the southern edge of Milford Block. The beneficiary is Schools. Mr. Wiseman's presentation can be found at <https://www.utah.gov/pmn/files/1273201.pdf>. Mr. Wiseman's memorandum to the Board was distributed with the meeting agenda. This proposed OBA was brought before the Board for approval in October 2024.

Mr. Wiseman explained that Kinross Gold, among other things, is interested in the area as a large known resource of alunite lies on the surface, which is often at the top of a mineral system and therefore 'feeding it'. Underneath is typically copper and gold, which is Kinross's goal, as such deposits can be lucrative for mining operators. This OBA lease was previously approved as a four-year agreement with a required \$1.5 million work commitment in the four years and any unused exploration capital at the end of that timeframe would be paid to TLA.

Mr. Wiseman requests the Board amend its approval of the OBA to include a production royalty modification. The Board previously approved a 'standard' 4% gross royalty with Kinross Gold. Kinross, after further negotiation countered with a 3% NSR (net smelter return) royalty. A counteroffer of 2% gross royalty was brought before the Mineral Committee in March 2025 who advised to renegotiate a better deal per Mr. Baza. Then TLA offer is now: 3% gross royalty with the option to buydown 0.5 for \$500K; and another 0.5% for \$500K (total 1% buydown for \$1 million) if they find metalliferous minerals. A 10-year readjustment was included as well.

Mr. Wiseman stated that Kinross is a good operator that has a proven track record globally, is well-funded, and has proposed a detailed work agreement. TLA feels they are a great operator to have on Trust Lands.

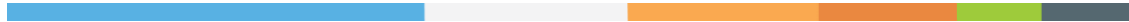
Mr. Simon questioned why Kinross came back with 3% royalty after they offered 2%. Mr. Wiseman and Ms. Barber Renteria answered by stating that a 2% royalty did not include an NSR and that TLA does not have the ability to audit all the deductions that would come with that plan. All parties realized the 3% NSR royalty was the best deal in the long run.

Mr. Harris asked for clarification about the 1% buydown provision and how that could translate into royalty payments and if there is an estimate of what those royalties could be. Mr. Wiseman answered that at this point there is not a pre-feasibility study to assess or estimate the actual resources in place. Ms. Barber-Rentieria reassured Mr. Harris that provision of the 10-year readjustment period in TLA mining leases can be helpful if a lease does not produce. The board members discussed the proposed terms at length.

Dr. Nelson commented that Kinross is a major company taking serious interest in the property and seem committed to the project and discussed the indicators supporting this conclusion

Chair Peterson noted that TLA is not anticipating this resource is fissionable. Mr. Wiseman clarified by stating the Blawn Wash mining district has small potential for volcanogenic uranium but that likely would have been found earlier. In the event of finding fissionable resources, the lease states the production rate for that would remain at 8% Gross.

Dr. Nelson moved that the board approve the royalty reduction for ML 54558 OBA with Kinross Gold as set out in the board memorandum. Mr. Baza seconded the motion. The vote was unanimous in the affirmative, with Mr. Mower excused.

Yea	Nay	Excused
		
Chair Peterson		Mr. Mower
Vice-Chair Harris		
Vice-Chair James		
Mr. Baza		
Dr. Nelson		
Mr. Simons		

**Action Item 10c.** Mr. Bedingfield presented a Proposed Modification to Brine Lease (ML 54440 OBA) testing well with A1 Lithium in Emery County (6,504.61 acres) known as the Green River Lithium Project. The presentation is found at <https://www.utah.gov/pmn/files/1273203.pdf>. A memorandum setting out the staff recommendations was previously distributed to the board. ML 54440 OBA was lithium lease approved by the Board in fall of 2024. It is an area near the town Green River where TLA has several parcels and most of the area included in the proposed lease is a split estate where TLA owns the mineral estate but does not own the surface estate. When the Board previously approved this lease there was no surface occupancy clause included.

Mr. Bedingfield said that some terms of the lease are often negotiated after Board approval. The royalty rate is one of those terms. The royalty rate was originally approved at 5%, now TLA proposes to amend the OBA to include royalty rate changes based on Average Sale Price. This is in part because the Direct Lithium Extraction technology that will be used on this resource is still an emerging technology in North America with no current operations at commercial levels. Mr. Bedingfield also noted that a representative from A1 Lithium, Mr. John Andrews, was present at the meeting.

The renegotiation created a tier-royalty structure based on the salability of the product as described in the board memorandum.

Mr. Bedingfield's presentation contained a graph showing the expected changes to market price of lithium. He also said that the 0% royalty rate federal lands affects royalty rates on TLA land. He said the proposed royalty structure is designed to encourage development of lithium extraction on TLA land while still obtaining a suitable return for the Trust Land beneficiaries.

Ms. James expressed appreciation for the proposed royalty rate structures as they are more friendly to prospective and future business.

Mr. Baza moved that the board approve the royalty rate modification for ML 54440 OBA with A1 Lithium in Emery County as set out in the memorandum. Dr. Nelson seconded the motion. The vote was unanimous in the affirmative, with Mr. Mower excused.

Yea	Nay	Excused
		Mr. Mower
Chair Peterson		
Vice-Chair Harris		
Vice-Chair James		
Mr. Baza		
Dr. Nelson		
Mr. Simons		

**Action Item 10d.** Ms. Barber-Renteria informed the Board regarding the Proposed Limestone Exploration Agreement with Option to Lease, ML 54597 OBA, with TSJ Construction in Emery County, that after some internal discussions, E&M Group would like to conduct stakeholder outreach in this matter and request this Action Item be presented to the Board at the June 2025 meeting.

**Action Item 10e.** Mr. Johnson noted that by prior agreement the parties to the Petition for Appeal and Adjudicative Proceedings before the Board of Trustees RE: Wesco Operating, Inc. concerning the dispute about oil and gas leases in San Juan County are not present at this meeting. An “Interim Order Concerning Threshold Legal Issues” was issued and both parties are reviewing it. The order can be found at <https://www.utah.gov/pmn/files/1274013.pdf>. He said the parties now plan, as arranged with the Board, to have the parties address the Board at the June 2025 meeting.

**Action Item 10f.** Chair Peterson recommended to postpone the *Legal Policy Statement No. 2025-1 – Consideration for Possible Action on New Board Policy Regarding Board Committee Procedures* matter to the next meeting in June 2025. (This can be located at <https://www.utah.gov/pmn/files/1274011.pdf>.) He explained it was due to three (3) factors: the aforementioned interaction with legislators (see Chair’s Report), the need for drafting language in the statement defining the role of the Advocacy Office in board committee meetings, and recent input from Director McConkie. Mr. Johnson will review the new draft, which includes Chair Peterson’s changes and new information that should be available to the Board members during the next week.

## ADJOURN

At 12:06 p.m., Ms. James moved to adjourn the meeting. Mr. Simon seconded the motion. The vote was unanimous in the affirmative with Mr. Mower excused.

Yea

Nay

Excused



Chair Peterson

Mr. Mower

Vice-Chair Harris

Vice-Chair James

Mr. Baza

Dr. Nelson

Mr. Simons

**Respectfully Submitted,**

Tonya Mortensen

Legal Secretary

May 20, 2025

Audio of this meeting can be found at

<https://www.utah.gov/pmn/files/1273207.m4a>