

Appendix C – Legal Description and Property Ownership



Special Use Permit Application

Legal Description

The legal description of the Piñon Ridge Property (the “Property”) is as follows:

SW¹/₄SE¹/₄, Section 5,
 All of Section 8,
 N¹/₂NW¹/₄, SE¹/₄NW¹/₄ and N¹/₂NE¹/₄, Section 17,
 All in Township 46 North, Range 17 West, N.M.P.M.,
 Less and except any portion of the land lying within Highway 90 (Colorado Department of Transportation) right-of-way,
 County of Montrose,
 State of Colorado.

Property Ownership

Table C-1, Property Ownership, lists all property owners located within 1,320 feet (1/4 mile) of the Property (described above), disregarding any intervening public right-of-way (i.e., Colorado Department of Transportation right-of-way and public lands administered by the U.S. Department of Interior – Bureau of Land Management). The property ownership information was obtained from the records of the Montrose County Assessor.

Table C-1 Property Ownership		
Parcel Number	Owner	Owner Address
4273-033-00-004	Mullen, Mary Ellen Et. Al.	c/o Michael Desilva 8 Autumn Oak Irvine, CA 92714
4273-061-00-001	Cooper, Dan Clayton and Dejohn, Michael	P.O. Box 8419 Clinton, LA 70722
4273-073-00-002	Burnett, William E.	P.O. Box 519 Evergreen, CO 80439-0000
4273-092-00-009	Huston, Ronald W. and Julia Mae	4659 South Yank Morrison, CO 80465
4273-162-00-017	Cotter Corporation	7800 East Dorado Place, Suite 210 Englewood, CO 80111
4273-171-00-018	Cotter Corporation	7800 East Dorado Place, Suite 210 Englewood, CO 80111

Figure C-1, Property Ownership Map, shows the locations of the above-listed parcels.

Certified Boundary Survey

A certified boundary survey of the Property was completed by D H Surveys Inc. in August 2007. Figure C-2, Boundary Survey, provides a copy of the survey monumented with legal descriptions.



Special Use Permit Application

Easements

On January 21, 2008, Energy Fuels conveyed a 20-foot wide "Easement for Power Line and Related Facilities" along the east side of the Property to San Miguel Power Association, Inc. ("San Miguel"). The easement provides San Miguel with the right to construct and maintain an electrical overhead distribution line, underground distribution line, fiber optic or communication circuit and related facilities.

The location and description of the easement is as follows:

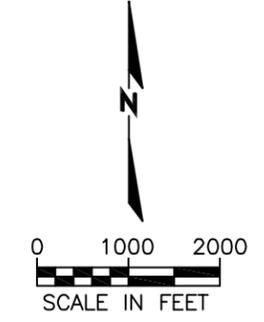
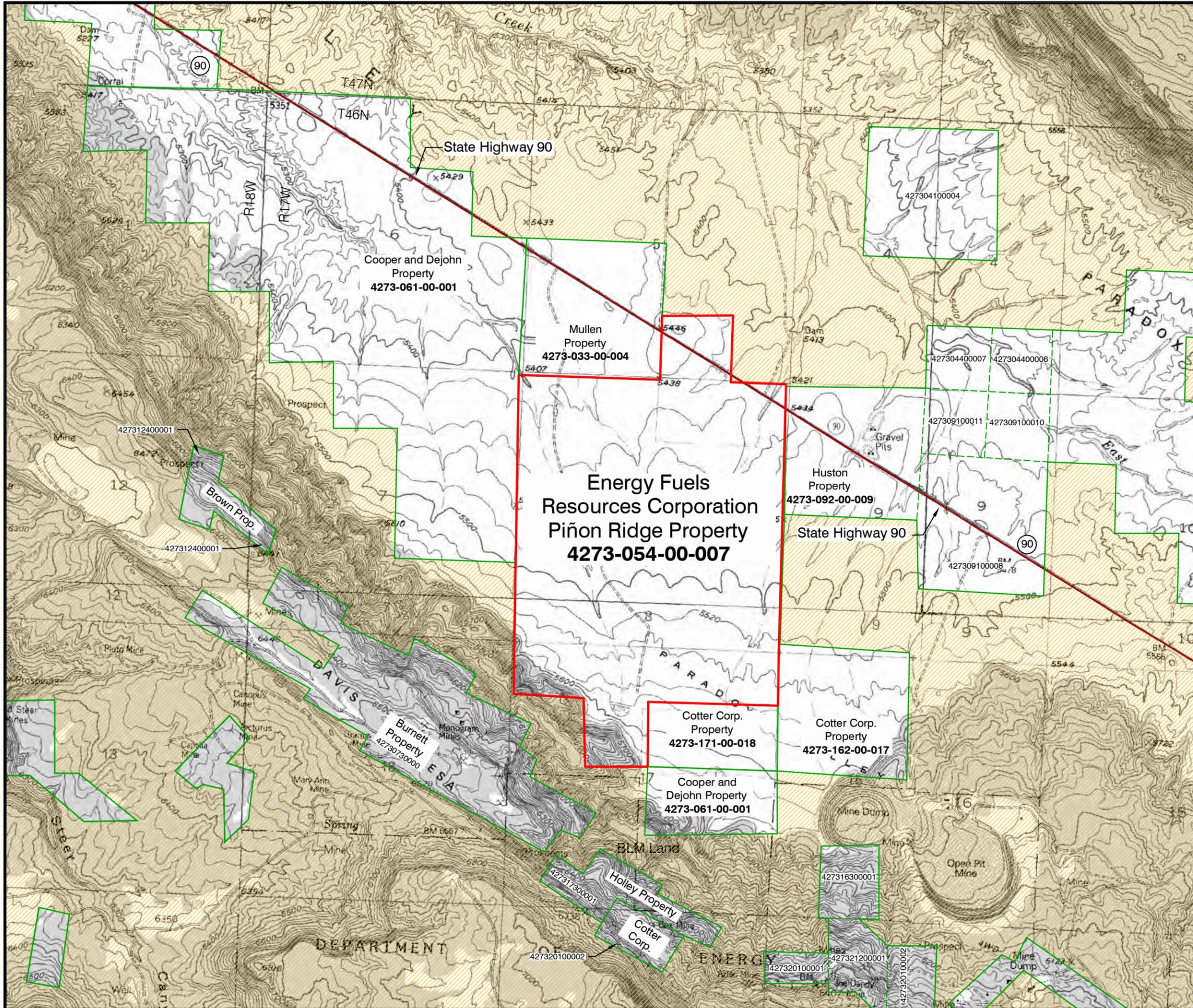
Beginning at an existing power pole, which bears South 04° 58' 29" West, a distance of 597.75 feet, from the Northeast Corner of Section 5, Township 46 North, Range 17 West;

Thence, a 20-foot wide, 10 feet on either side of centerline, underground easement with centerline described as bearing South 0° 30' 31" West, a distance of 289.96 feet, thence, South 17° 58' 36" East, a distance of 15.77 feet;

Thence the centerline of a 20-foot wide overhead easement described as bearing South 0° 35' 29" West, a distance of 5,070.00 feet.

San Miguel holds other easements through the Property, which were established in the late 1940s and early 1950s for its existing electric power lines and related facilities. Exhibit C-1, San Miguel Power - Historical Easements, presents copies of these easements.





LEGEND

- BLM LAND
- PRIVATE LAND
- 4273-162-00-017** MONTROSE COUNTY ASSESSOR'S PARCEL NO. FOR PARCELS LOCATED WITHIN 1320 FEET OF THE PIÑON RIDGE PROPERTY BOUNDARY
- 427309100010** MONTROSE COUNTY ASSESSOR'S PARCEL NO.
- PIÑON RIDGE PROPERTY BOUNDARY

TO NATURITA (APPROX 11 MILES) →

TOWNSHIP 46N, RANGE 17W
NEW MEXICO PRIME MERIDIAN

PROJECT ENERGY FUELS RESOURCES CORPORATION
PIÑON RIDGE MILL FACILITY
MONTROSE COUNTY, COLORADO

PROPERTY OWNERSHIP MAP

	PROJECT No.	N/A	FILE NAME	Fig-C-1-Prop Map	
	DESIGN	EFR	6/08	SCALE	NONE
	CADD	JGM	7/7/08		A
	CHECK	MAM	7/7/08	FIGURE C-1	
	REVIEW	FF	7/7/08		

Figure C-2
Boundary Survey



BOUNDARY SURVEY

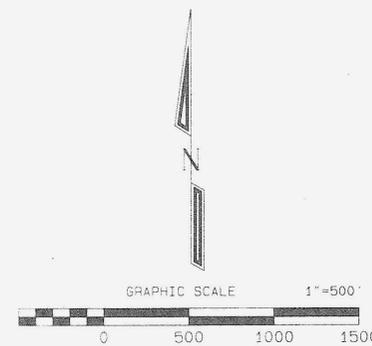


PROPERTY DESCRIPTION

A parcel of land situate in Section 5, 8 and 17, Township 46 North, Range 17 West of the New Mexico Principal Meridian, Montrose County, Colorado, describes as follows:
 SECTION 5: SW 1/4 SE 1/4.
 SECTION 8: ALL
 SECTION 17: N 1/2 NW 1/4, N 1/2 NE 1/4, SE 1/4 NW 1/4.

LEGEND & ABBREVIATIONS

- ◇ FOUND STONE MONUMENT
- ⊗ FOUND B.L.M. / G.L.O. BRASS CAP
- ⊗ SET #6 REBAR W/3.25" ALUMINUM CAP STAMPED D H SURVEYS LS 20677
- W.C. = WITNESS CORNER



NOTICE: According to Colorado law you must commence any legal action based upon any defect in the survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of this certification/statement shown hereon.

SURVEYOR'S STATEMENT

I, Michael W. Drissel, a registered Professional Land Surveyor in the State of Colorado, do hereby state that this survey was performed by me or under my direct responsibility, supervision, and checking. That no title search was made by me to determine ownership, easements or right-of-ways recorded or unrecorded except as shown hereon.



BOUNDARY SURVEY					
LOCATED IN THE					
SEC. 5, 8 AND 17, T46N, R217W, N.M.P.M.					
D H SURVEYS INC.					
118 OURAY AVE. - GRAND JUNCTION, CO.					
(970) 245-8749					
Designed By	M.W.D.	Checked By	S.L.H.	Job No.	897-07-02
Drawn By	TMODEL	Date	AUGUST 2007	Sheet	1 OF 1

REVISED DATE: 10/04

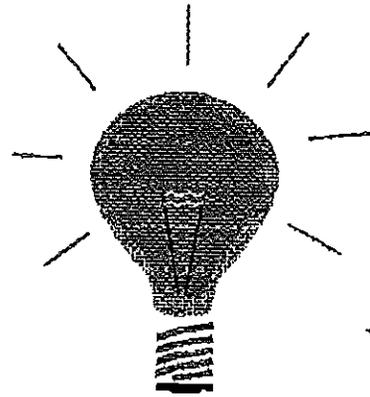
Exhibit C-1

San Miguel Power – Historical Easements



A POWER NOTE

FROM **SMPA**



SAN MIGUEL POWER ASSOCIATION, INC.
P.O. BOX 817
170 W. 10th AVENUE
NUCLA, CO 81424

PHONE: (970) 864-7311
FAX: (970) 864-7984

FROM: MARVIN WALISKY DATE: 4-15-08

ATTN: ZACK RODGERS COMPANY: EFN

FAX#: 303-974-2141 PHONE#: 303-974-2151

TOTAL PAGES (including cover): 3

COMMENTS: _____

If you have any questions or experience trouble with this transmittal, please call (970) 864-7311 or fax (970) 864-7257. There is 24 hour access to our fax machine, thus making it accessible for you to send documents to us when our office is closed. Our office hours are: Monday thru Thursday - 7:00 a.m. to 5:30 p.m. (MST)

add SW⁴ NE⁴, E² NE⁴

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that (I) (we), the undersigned Benton Blackburn (husband and wife) for a good and valuable consideration, the receipt whereof is hereby acknowledged, have granted, sold and conveyed unto SAN MIGUEL POWER ASSOCIATION, INC., a cooperative association whose office address is Norwood, Colorado, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of Montez State of Colorado, and more particularly described as follows:

NW¹/₄, S¹/₂ NE¹/₄ Sec. 8, T46N, R17W. N.M.P.M.
SE¹/₄ Sec. 6, T46N, R17W. N.M.P.M.

SW¹/₄ SE¹/₄, N¹/₂ SW¹/₄, SE¹/₄ SW¹/₄ Sec. 36, T47N, R18W. N.M.P.M.
S¹/₂ NE¹/₄, S¹/₂ NW¹/₄, NW¹/₄ SE¹/₄ Sec. 27, T47N, R18W. N.M.P.M.
SW¹/₄ NE¹/₄, E¹/₂ NE¹/₄ Sec. 27, T47N, R18W. N.M.P.M.

Remove
5/4

and to construct, operate and maintain on the above-described lands and/or on or upon all streets, roads or highways abutting said lands, an electric transmission or distribution line or system and to cut down from time to time all dead, weak, leaning or dangerous trees that are tall enough to strike the line in falling.

IN WITNESS WHEREOF, the undersigned have set their hands and seals this 16 day of July, 1986.

Benton Blackburn (H) Blackburn (W)

STATE OF COLORADO)
COUNTY OF Montez) SS

The foregoing instrument was acknowledged before me this 16 day of July, 1986, by Benton Blackburn
My commission expires July 9, 1988
WITNESS my hand and official seal.

Notary Public

1697

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that (I) (we), the undersigned John I. Mullen (husband and wife) for a good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant unto SAN MIGUEL POWER ASSOCIATION, INC., a cooperative association, whose post office address is Norwood, Colorado, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of Montross State of Colorado, and more particularly described as follows:

- W $\frac{1}{2}$ Section 13, T46N, R17W, N.M.P.M.
- NINE $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 14, T46N, R17W, N.M.P.M.
- SW $\frac{1}{4}$ Sec. 5, T46N, R17W, N.M.P.M.
- SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.22, T48N, R19W, N.M.P.M.

and to construct, operate and maintain on the above-described lands and/or in or upon all streets, roads or highways abutting said lands, an electric transmission or distribution line or system and to cut down from time to time all dead, weak, leaning or dangerous trees that are tall enough to strike the wires in falling.

IN WITNESS WHEREOF, the undersigned have set their hands and seals this _____ day of _____, 19____.

Marie E. Mullen (SEAL) X

(SEAL)

STATE OF INDIANA)
~~MISSOURI~~)
COUNTY OF St. Joseph) SS

The foregoing instrument was acknowledged before me this 22nd day of July, 1946, by Marie E. Mullen
My commission expires May 23, 1950
WITNESS my hand and official seal.

Mabel W. Stewart
Notary Public