



In Reply To:

# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Montana State Office  
5001 Southgate Drive, P.O. Box 36800  
Billings, Montana 59107-6800  
<http://www.mt.blm.gov/>



MTM 92995

## Notice of Competitive Lease Sale Oil and Gas

**January 27, 2004**

The Montana State Office is holding a competitive oral sale of Federal lands in the States of Montana and North Dakota for oil and gas leasing. We are attaching a list that includes the parcel numbers, legal land descriptions and corresponding stipulations. The list is available on the Internet at:  
<http://www.mt.blm.gov/oilgas>.

### When and where will the sale take place?

- When:** The competitive sale begins at 9:00 a.m. on Tuesday, January 27, 2004. The sale room opens at 8:00 a.m. for registration and assignment of bidder numbers.
- Where:** We will hold the sale at the Bureau of Land Management, Montana State Office, 5001 Southgate Drive, Billings, Montana. Parking is available.
- Access:** The sale room is accessible to persons with disabilities. If you need a sign language interpreter or materials in an alternate format, please tell us no later than one week before the sale. You may contact Joan Seibert at (406) 896-5093 or Elaine Kaufman at (406) 896-5108.

### How do I register as a bidder?

Before the sale starts, you must complete a bidder registration form to obtain a bidding number. The forms are available at the registration desk.

### What is the sale process?

Starting at 9:00 a.m. on the day of the sale:

- the auctioneer offers the parcels in the order they are shown on the attached list;
- registered bidders make oral bids on a per-acre basis for all acres in a parcel;
- the winning bid is the highest oral bid equal to or exceeding the minimum \$2.00 bid;
- the decision of the auctioneer is final; and
- names of high bidders (lessees) remain confidential until the results list is available.

If a parcel contains fractional acreage, round it up to the next whole acre. For example, a parcel of 100.48 acres requires a minimum bid of \$202 (101 acres x \$2).

If the United States owns less than 100 percent of the oil and gas rights in a parcel, we will issue the lease for the percentage of interest the United States owns. You must calculate your bid and advance rental payment on the gross acreage in the parcel. For example, if the U.S. owns 50 percent of the oil and gas in a 100.48 acre parcel, the minimum bid is \$202 (101 acres x \$2) and the advance rental due is \$151.50 (101 acres x \$1.50).

What conditions apply to the lease sale?

- **Parcel withdrawal or sale cancellation:** We reserve the right to withdraw any or all parcels before the sale begins. If we withdraw parcels or cancel a sale, we will post a notice in our Public Records and Information Center and announce the withdrawn parcels at the sale.
- **Lease terms:** Leases issue for a primary term of 10 years. They continue beyond the primary term as long as the lease is producing in paying quantities or receiving production from another source. Rental is \$1.50 per acre for the first 5 years (\$2 per acre after that) until production begins. Once a lease is producing, we charge a royalty of 12.5 percent on the production removed or sold from the lease. You will find other lease terms on our standard lease form (Form 3100-11, June 1988 or later edition).
- **Stipulations:** Some parcels are subject to surface use restrictions or conditions affecting how you conduct operations on the lands. The stipulations become part of the lease and replace any inconsistent provisions of the lease form.
- **Bid form:** On the day of the sale, successful bidders must submit a properly completed lease bid form (Form 3000-2, October 1989 or later edition) along with their payment. The bid form is a legally binding offer to accept a lease and all its terms and conditions. When the prospective lessee or an authorized representative signs the bid form, they certify the lessee meets the conditions of 43 CFR 3102.5-2 and complies with 18 U.S.C. 1860, a law that prohibits unlawful combinations, intimidation of bidders, and collusion among bidders. You cannot withdraw your bid.
- **Payment:**
  - **minimum due by 4:00 p.m. on day of sale:**
    - Bonus bid deposit of \$2.00 per acre or fraction thereof;
    - First year's rent of \$1.50 per acre or fraction thereof except for future interest parcels; and
    - \$75 nonrefundable administrative fee
  - **remaining balance due by 4:00 p.m. February 10, 2004**
    - If you don't pay in full by this date, you lose the right to the lease and all the money you paid the day of the sale. We may offer the parcel in a future sale.
- **Method of payment:** You can pay by:
  - personal check;
  - certified check;
  - money order; or
  - credit card (Visa, Mastercard, American Express or Discover).

Make checks payable to: **Department of the Interior-BLM.** We do not accept cash. If you previously paid us with a check backed by insufficient funds, we will require a guaranteed payment, such as a certified check.

- **Lease issuance:** After we receive the bid forms and all monies due, we can issue the lease. The lease effective date is the first day of the month following the month we sign it. We can make the lease effective the first day of the month in which we sign it, if you ask us in writing before we sign the lease.

### **How can I find out the results of this sale?**

We post the sale results in our Public Records and Information Center and the Internet at: <http://www.mt.blm.gov/oilgas>. You can buy a \$5/\$10 printed copy of the results list from the Public Records and Information Center.

### **How do I file a noncompetitive offer after the sale?**

Lands that do not receive a bid and are not subject to a pre-sale offer are available for a two-year period beginning the day after the sale. To file a noncompetitive offer, you must submit:

- three copies of standard lease form (Form 3100-11, June 1988 or later edition) with lands described as specified in our regulations at 43 CFR 3110.5;
- \$75 nonrefundable administrative fee; and
- first year's advance rental (\$1.50 per acre or fraction thereof)

Place offers filed on the day of the sale and the first business day after the sale in the drop box in the Public Records and Information Center. We consider these offers simultaneously filed. When a parcel receives more than one filing by 4 p.m. on the day after the sale, we will hold a drawing to determine the winner. Offers filed after this time period, receive priority according to the date and time of filing in this office.

### **How do I file a noncompetitive pre-sale offer?**

Under our regulations at 43 CFR 3110.1(a), you may file a noncompetitive pre-sale offer for lands that:

- are available; and
- have not been under lease during the previous one-year period; or
- have not been in a competitive lease sale within the previous two-year period.

Once we post a competitive sale notice, you cannot file a pre-sale offer for lands shown on the notice.

To file a pre-sale offer, you must submit:

- three copies of standard lease form (Form 3100-11, June 1988 or later edition) with lands described as specified in our regulations at 43 CFR 3110.5;
- \$75 nonrefundable administrative fee; and
- first year's advance rental (\$1.50 per acre or fraction thereof)

If we don't receive a bid at the sale for the parcel(s) contained in your pre-sale offer, we will issue the lease. You can withdraw your offer prior to the date we sign your lease. Your pre-sale offer is your consent to the terms and conditions of the lease, including any additional stipulations advertised in the Competitive Sale Notice.

### **Where can I obtain information pertaining to the individual Forest Service Stipulations?**

The applicable Forest Service Environmental Impact Studies (EIS) describe stipulations for parcels located within the administrative boundary of the Forest Service units. The Geographic Information System (GIS) maps of the stipulations may be viewed at the following Forest Service offices:

- The individual District Ranger's Office identified in the stipulation listing included with this sale notice,

- or
- The individual Forest Supervisor's Office identified in the stipulation listing included with this sale notice,
- or
- The Forest Service, Region One Office, 200 East Broadway, Missoula, Montana

**How do I nominate lands for future sales?**

- file a letter with this office describing the lands you want put up for sale;
- file a pre-sale offer

**Who should I contact if I have a question?**

For more information, contact Trish at (406) 896-5110.

**When is the next competitive oil and gas lease sale scheduled in Montana?**

We are tentatively holding our next competitive sale on March 30, 2004.

Karen L. Johnson, Chief  
Fluids Adjudication Section

**OFFICIAL POSTING DATE MUST BE ON OR BEFORE December 12, 2003**

The official posting date will be noted on the copy posted in the Information Access Center of the Bureau of Land Management, Billings, Montana.

**PUBLIC NOTICE**

Any noncompetitive offer received for lands that are listed on the Notice from the time the list is officially posted in the Montana State Office Public Room until the first business day following the completion of the sale will be rejected as unavailable for filing per 43 CFR 3110.1(a)(ii).

THE FOLLOWING NOTICE WILL BE ATTACHED TO ALL ISSUED LEASES

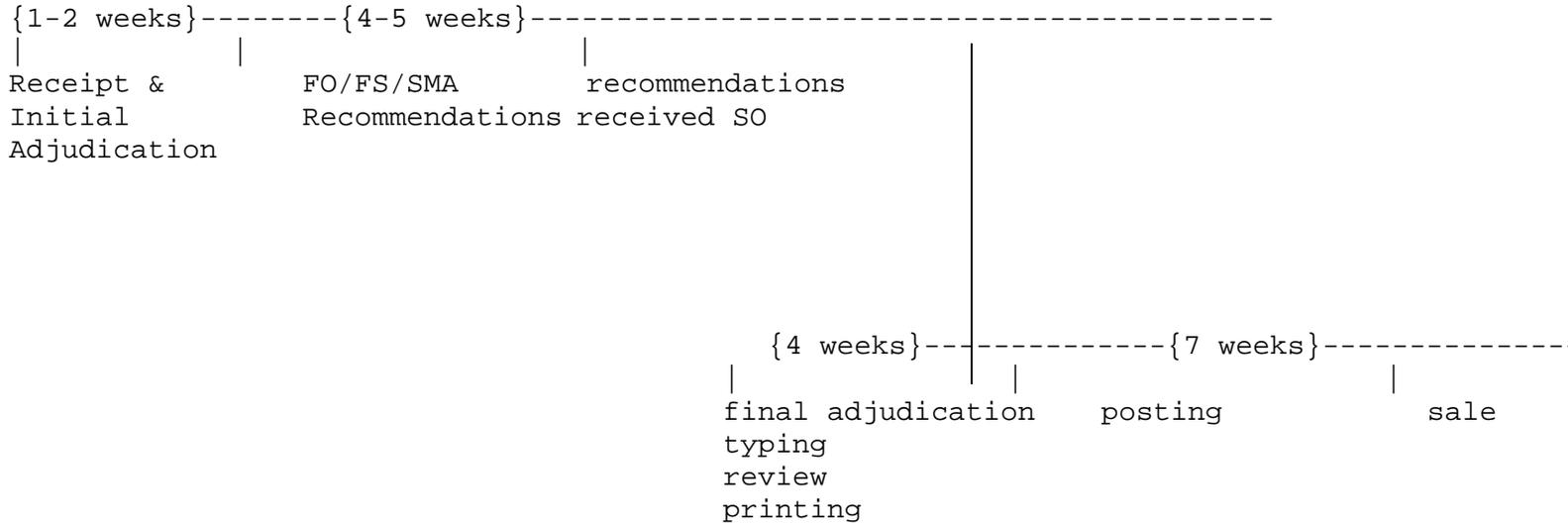
**NOTICE TO LESSEE**

**Provisions of the Mineral Leasing Act (MLA) of 1920, as amended by the Federal Coal Leasing Amendments Act of 1976, affect an entity's qualifications to obtain an oil and gas lease. Section 2(a)(2)(A) of the MLA, 30 U.S.C. 201(a)(2)(A), requires that any entity that holds and has held a Federal coal lease for 10 years beginning on or after August 4, 1976, and who is not producing coal in commercial quantities from each such lease, cannot qualify for the issuance of any other lease granted under the MLA. Compliance by coal lessees with Section 2(a)(2)(A) is explained in 43 CFR 3472.**

**In accordance with the terms of this oil and gas lease with respect to compliance by the initial lessee with qualifications concerning Federal coal lease holdings, all assignees and transferees are hereby notified that this oil and gas lease is subject to cancellation if: (1) the initial lessee as assignor or as transferor has falsely certified compliance with Section 2(a)(2)(A) or (2) because of a denial or disapproval by a State Office of a pending coal action, i.e., arms-length assignment, relinquishment, or logical mining unit, the initial lessee as assignor or as transferor is no longer in compliance with Section 2(a)(2)(A). The assignee or transferee does not qualify as a bona fide purchaser and, thus, has no rights to bona fide purchaser protection in the event of cancellation of this lease due to noncompliance with Section 2(a)(2)(A).**

**Information regarding assignor or transferor compliance with Section 2(a)(2)(A) is contained in the lease case file as well as in other Bureau of Land Management records available through the State Office issuing this lease.**

**TIMELINE TO PROCESS EXPRESSIONS OF INTEREST (EOI)  
OR PRESALE OFFERS**



**Total time required to process EOI/Offer  
4-5 months {16-18 weeks}**

SMA-Surface Management Agency  
 ie: Forest Service, Bureau of Reclamation  
 FO-BLM Field Office FS-BLM Field Office  
 SO-Mon

ALL LANDS ARE LISTED IN TOWNSHIP AND RANGE ORDER

MONTANA

**01-04-01**

**Presale: MTM 92575**

T. 37 N, R. 10 E, PMM, MT PD  
sec 10 SW,SWSE;  
15 W2NE,NW,NESW,S2SE;  
22 N2NE,SENE;

Hill 680.00 AC  
Stipulations: Standard, TES

**01-04-02**

T. 34 N, R. 12 E, PMM, MT PD  
sec 1 BED MILK RIVER RIPAR  
TO LOTS 1, 3-11 INCL,  
DESC BY M&B; 1/  
2 BED MILK RIVER RIPAR  
TO LOTS 1-7 INCL,  
DESC BY M&B; 1/

Hill 111.586 AC  
Stipulations: BOR Form 3109-1,  
BOR GP-135, Lease Notice-1,  
Standard, TES

**01-04-03**

T. 36 N, R. 13 E, PMM, MT PD  
sec 8 E2;

Hill 320.00 AC  
Stipulations: Standard, TES

**01-04-04**

T. 37 N, R. 15 E, PMM, MT PD  
sec 1 LOTS 5,6,7,8;  
10 S2NE,E2SW,SE;  
26 S2;

Hill 758.08 AC  
Stipulations: Standard, TES

**01-04-05**

T. 24 N, R. 19 E, PMM, MT PD  
sec 19 NESW;  
29 W2NE,SENE,NW,N2SW,SESW,  
S2SE;  
30 LOTS 1,2,3;  
30 E2NE,NESE;

Blaine 743.50 AC  
Stipulations: Standard, TES

**01-04-06**

T. 34 N, R. 22 E, PMM, MT ACQ  
sec 35 SWNW;  
Blaine 40.00 AC  
Stipulations: Standard, TES

**01-04-07**

T. 3 N, R. 25 E, PMM, MT PD  
sec 26 NE,E2SW,N2SE;  
Yellowstone 320.00 AC  
Stipulations: Lease Notice-2,  
NSO-1, TES, Timing-1,2

**01-04-08**

T. 3 N, R. 26 E, PMM, MT ACQ  
sec 18 LOT 1;  
18 N2NE,NENW;  
Yellowstone 155.88 AC  
Stipulations: Lease Notice-2,  
TES, Timing-1,2

**01-04-09**

T. 3 N, R. 26 E, PMM, MT PD  
sec 32 S2SE;  
Yellowstone 80.00 AC  
Stipulations: Lease Notice-2,3,  
TES, Timing-1,2

**01-04-10**

T. 34 N, R. 28 E, PMM, MT ACQ  
sec 3 S2;  
Phillips 320.00 AC  
Stipulations: Standard, TES

**01-04-11**

T. 34 N, R. 28 E, PMM, MT ACQ  
sec 15 SW;  
Phillips 160.00 AC  
Stipulations: Standard, TES

**01-04-12**

T. 34 N, R. 28 E, PMM, MT ACQ  
sec 22 ALL;  
Phillips 640.00 AC  
Stipulations: Standard, TES

**01-04-13**

T. 31 N, R. 29 E, PMM, MT PD  
sec 11 N2NE,SWNE,NW,S2;  
12 NWNE,SE;  
13 NENE,SESW;  
14 NWNE,NENW,W2SE;  
17 N2SE;  
18 NENE;  
22 S2NW,W2SW;

Phillips 1320.00 AC  
Stipulations: Standard, TES

**01-04-14**

T. 31 N, R. 29 E, PMM, MT ACQ  
sec 12 SW;  
13 NWNE,NW,N2SW,SWSW;  
14 E2E2;  
16 E2;  
21 S2S2;  
22 E2SW,N2SE,SESE;

Phillips 1320.00 AC  
Stipulations: Standard, TES

**01-04-15**

T. 32 N, R. 29 E, PMM, MT ACQ  
sec 15 ALL;  
16 SW;  
17 E2;  
20 E2;  
22 ALL;

Phillips 2080.00 AC  
Stipulations: Standard, TES

**01-04-16**

T. 36 N, R. 38 E, PMM, MT ACQ  
sec 13 W2NE,NW,N2SW;  
23 SE;  
24 W2,SE;

Valley 960.00 AC  
Stipulations: Standard, TES

**01-04-17**

T. 36 N, R. 38 E, PMM, MT PD  
sec 25 NE,E2NW;  
26 W2NE,W2,SE;  
35 NWNE,N2NW,NWSW,S2S2;

Valley 1120.00 AC  
Stipulations: Standard, TES

**01-04-18**

T. 36 N, R. 38 E, PMM, MT ACQ  
sec 25 W2NW,S2;  
26 E2NE;  
35 NENE,S2N2,NESW,N2SE;

Valley 800.00 AC  
Stipulations: Standard, TES

**01-04-19**

T. 36 N, R. 38 E, PMM, MT PD  
sec 27 ALL;  
34 ALL;

Valley 1280.00 AC  
Stipulations: Standard, TES

**01-04-20**

T. 24 N, R. 52 E, PMM, MT PD  
sec 26 S2NE,NESE;

Richland 120.00 AC  
Stipulation: TES

**01-04-21**

T. 22 N, R. 57 E, PMM, MT PD  
sec 4 NESW;

Richland 40.00 AC  
Stipulation: TES

**01-04-22**

T. 27 N, R. 57 E, PMM, MT PD  
sec 17 SWNE,NWSE;

Roosevelt 80.00 AC  
Stipulations: CSU-1, TES

**01-04-23**

**Presale: MTM 92874**

T. 33 N, R. 2 W, PMM, MT PD  
sec 18 SESE;

Toole 40.00 AC  
Stipulations: Standard, TES

**01-04-24**

T. 6 S, R. 22 E, PMM, MT PD  
sec 3 LOT 4;  
3 SWNW,SESE;  
4 SWNW;  
10 NWNE,W2NW,SW;

Carbon 447.47 AC  
Stipulations: CSU-2, Lease  
Notice-2, TES

**01-04-25**

T. 7 S, R. 23 E, PMM, MT PD  
 sec 33 E2,SW;  
 34 NWNE,SWNW,NWSW;  
 35 E2,E2W2;  
 Carbon 1080.00 AC  
 Stipulations: CSU-2, Lease  
 Notice-4, TES, Timing-2

**01-04-26**

T. 8 S, R. 23 E, PMM, MT PD  
 sec 1 LOTS 1,4;  
 2 LOTS 1,2,3;  
 2 SWNE,W2SW,NWSE,SESE;  
 11 NW,NWSW,SWSE;  
 12 E2,N2SW,SESW;  
 13 S2NE,SWNW,S2;  
 Carbon 1522.40 AC  
 Stipulations: Lease Notice-2,3,  
 4, NSO-1, TES, Timing-2,3

**01-04-27**

T. 2 S, R. 24 E, PMM, MT PD  
 sec 26 LOT 2;  
 26 RIVERBED RIPAR TO LOT 2  
 DESC BY M&B; 1/  
 Yellowstone 15.473 AC  
 Stipulations: Lease Notice-2,  
 NSO-1, TES, Timing-1

**01-04-28**

T. 2 S, R. 25 E, PMM, MT PD  
 sec 3 LOTS 3,4,5;  
 3 S2NE;  
 9 W2NW;  
 Yellowstone 280.93 AC  
 Stipulations: CSU-2, Lease  
 Notice-2, NSO-1, TES

**01-04-29**

T. 6 S, R. 51 E, PMM, MT PD  
 sec 19 LOTS 1,2,3,4;  
 19 E2,E2W2;  
 20 ALL;  
 21 ALL;  
 Powder River 1970.24 AC  
 Stipulations: CSU-3, TES

**01-04-30**

T. 6 S, R. 51 E, PMM, MT PD  
 sec 22 W2NE,NW,S2;  
 23 NE;  
 Powder River 720.00 AC  
 Stipulations: CSU-2, TES

**01-04-31**

T. 6 S, R. 51 E, PMM, MT PD  
 sec 28 SW;  
 36 NE,W2,NESE;  
 Powder River 680.00 AC  
 Stipulation: TES

**01-04-32**

T. 7 S, R. 51 E, PMM, MT PD  
 sec 1 LOTS 1,2,3,4;  
 1 S2N2,S2;  
 2 LOTS 1,2;  
 2 S2NE,S2;  
 11 ALL;  
 12 N2,SW,N2SE,SWSE;  
 Powder River 2328.85 AC  
 Stipulations: CSU-2, TES

**01-04-33**

T. 7 S, R. 51 E, PMM, MT PD  
 sec 3 LOTS 1,2,3,4;  
 3 S2N2,S2;  
 10 ALL;  
 15 NWNE,N2NW,N2SE,SESE;  
 21 W2NW,SW,W2SE;  
 Powder River 1819.48 AC  
 Stipulations: CSU-1,2, TES,  
 Timing-1

**01-04-34**

T. 7 S, R. 51 E, PMM, MT PD  
 sec 4 LOTS 1,2,3,4;  
 4 S2N2,S2;  
 5 LOTS 1,2,3,4;  
 5 SENE,SWNW;  
 6 LOTS 1-4,6,11-14;  
 6 SWSE;  
 Powder River 1160.04 AC  
 Stipulations: CSU-1,2, TES,  
 Timing-1

**01-04-35**

T. 7 S, R. 51 E, PMM, MT PD  
sec 7 LOTS 1-12 INCL;  
7 E2;  
8 W2,NWSE;  
9 ALL;  
16 S2SW;

Powder River 1801.68 AC  
Stipulations: CSU-2, TES,  
Timing-1

**01-04-36**

T. 8 S, R. 51 E, PMM, MT PD  
sec 27 NE,E2SW,SWSW;  
35 NWSW;

Powder River 320.00 AC  
Stipulation: TES

**01-04-37**

T. 6 S, R. 52 E, PMM, MT PD  
sec 13 NE,NENW;  
29 S2NW,SE;  
30 E2NE;  
31 LOTS 1,4;  
31 SESW,S2SE;  
32 SWSW;

Powder River 722.62 AC  
Stipulation: TES

**01-04-38**

T. 8 S, R. 52 E, PMM, MT PD  
sec 24 NESE;  
29 SWNE,SENW;

Powder River 120.00 AC  
Stipulations: CSU-2, TES,  
Timing-1

**01-04-39**

T. 9 S, R. 52 E, PMM, MT PD  
sec 9 SWSW;  
20 NWNE,SWSE;  
21 SESW,S2SE;  
27 E2W2,NWNW;  
28 NENW;  
35 LOTS 1,2,3,4;  
35 N2,N2S2;

Powder River 1088.76 AC  
Stipulations: CSU-2, TES,  
Timing-1

**01-04-40**

T. 6 S, R. 53 E, PMM, MT PD  
sec 8 ALL;  
9 ALL;  
10 S2NW,SW;

Powder River 1520.00 AC  
Stipulations: TES, Timing-1

**01-04-41**

T. 6 S, R. 53 E, PMM, MT PD  
sec 15 ALL;  
22 ALL;  
27 N2NE,NENW;

Powder River 1400.00 AC  
Stipulations: TES, Timing-1,2

**01-04-42**

T. 7 S, R. 53 E, PMM, MT PD  
sec 15 SWSW;  
25 E2SE;

Powder River 120.00 AC  
Stipulations: TES, Timing-2

**01-04-43**

T. 9 S, R. 53 E, PMM, MT PD  
sec 6 LOTS 1,2,3,4;  
6 NE,E2NW,NESW,N2SE;  
7 LOT 4;  
7 SESW;  
18 LOTS 1,2,3,4;  
18 E2,E2W2;

Powder River 1211.35 AC  
Stipulations: CSU-2,3, TES

**01-04-44**

T. 7 S, R. 54 E, PMM, MT PD  
sec 17 NE,SENW,N2SE,SESE;  
20 NWNW,S2N2,SWSW,N2SE,  
SESE;  
29 E2NE,W2,SE;

Powder River 1240.00 AC  
Stipulations: CSU-2,3, TES

**NORTH DAKOTA**

**01-04-45**

T. 150 N, R. 95 W, 5<sup>th</sup> PM, ND PD  
sec 24 LOT 4;  
McKenzie 46.99 AC  
Stipulations: CSU-4, Standard,  
TES

**01-04-46**

T. 148 N, R. 96 W, 5<sup>th</sup> PM, ND PD  
sec 3 LOTS 3,4;  
3 SWNW,W2SW;  
Dunn 172.30 AC  
Stipulations: CSU-4, NSO-2,  
Standard, TES, Timing-4,5,6

**01-04-47**

T. 148 N, R. 96 W, 5<sup>th</sup> PM, ND PD  
sec 4 LOTS 1,2;  
4 S2NE;  
Dunn 133.18 AC  
Stipulations: CSU-4, Standard,  
TES, Timing-5,6

**01-04-48**

T. 149 N, R. 97 W, 5<sup>th</sup> PM, ND ACQ  
sec 1 LOT 3;  
1 SENW;  
2 S2NE;  
McKenzie 160.12 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1,2, NSO-1

**01-04-49**

T. 149 N, R. 97 W, 5<sup>th</sup> PM, ND ACQ  
sec 1 SENE,E2SE;  
3 SW;  
10 ALL;  
11 SWNW,W2SW,SESW;  
McKenzie 1080.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1,2, NSO-1,3

**01-04-50**

T. 149 N, R. 97 W, 5<sup>th</sup> PM, ND PD  
sec 5 LOT 1;  
9 E2NE,SENE,E2SW,SWSE;  
15 NE,SWSW;  
32 S2S2;  
McKenzie 641.06 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1, NSO-1,2,3

**01-04-51**

T. 149 N, R. 97 W, 5<sup>th</sup> PM, ND ACQ  
sec 5 W2SW EXCL 10.63AC IN RR  
ROW;  
8 W2NW,SW;  
9 SWNE,N2SE,SESE;  
17 N2;  
McKenzie 789.37 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1, NSO-1

**01-04-52**

T. 149 N, R. 97 W, 5<sup>th</sup> PM, ND PD  
sec 11 SENE;  
McKenzie 40.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1, NSO-1

**01-04-53**

T. 149 N, R. 97 W, 5<sup>th</sup> PM, ND ACQ  
sec 13 NESW,S2SW,W2SE;  
24 N2,N2SW;  
25 NENE,NWNW;  
27 S2NW,SW;  
28 N2NW;  
McKenzie 1000.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1, NSO-1,2,3,4,  
Timing-1

**01-04-54**

T. 149 N, R. 97 W, 5<sup>th</sup> PM, ND ACQ  
sec 14 SW,N2SE;  
15 NW,N2SE,SESE;  
15 N2SW,SESW,SWSE EXCL  
19.25 AC IN RR ROW;  
McKenzie 660.75 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1, NSO-1,3, Timing-1

**01-04-55**

T. 149 N, R. 97 W, 5<sup>th</sup> PM, ND ACQ  
sec 20 S2;  
29 N2,SW;  
30 E2;  
McKenzie 1120.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1, NSO-1,2

**01-04-56**

T. 149 N, R. 97 W, 5<sup>th</sup> PM, ND ACQ  
sec 21 N2,E2SW,W2SE;  
22 N2NE,SENE,N2NW,SWNW  
EXCL 8.42 AC IN RR ROW;  
McKenzie 711.58 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1, NSO-1,2

**01-04-57**

T. 149 N, R. 97 W, 5<sup>th</sup> PM, ND PD  
sec 21 W2SW;  
McKenzie 80.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1, NSO-1,2

**01-04-58**

T. 149 N, R. 97 W, 5<sup>th</sup> PM, ND ACQ  
sec. 23 NENE,S2NW,NESW,NWSE;  
S2SE EXCL 17.24 AC IN  
RR ROW;  
26 E2NE EXCL 22.59 AC IN  
RR ROW;  
26 SENW,NESW,S2SW,SE;  
McKenzie 640.17 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1,2, NSO-1, Timing-1

**01-04-59**

T. 149 N, R. 97 W, 5<sup>th</sup> PM, ND ACQ  
sec 31 LOTS 1,2;  
31 E2E2,NWNE,NENW;  
32 N2,N2S2;  
McKenzie 800.00 AC  
Stipulations: R1-FS,2820-13d,  
18a, CSU-1, NSO-1,2

**01-04-60**

T. 149 N, R. 97 W, 5<sup>th</sup> PM, ND PD  
sec 33 SW,N2SE,SWSE;  
34 S2NW,NWSW;  
McKenzie 400.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1, NSO-1,2

**01-04-61**

T. 149 N, R. 97 W, 5<sup>th</sup> PM, ND ACQ  
sec 34 E2,N2NW,NESW,S2SW;  
McKenzie 520.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1, NSO-1

**01-04-62**

T. 151 N, R. 99 W, 5<sup>th</sup> PM, ND PD  
sec 6 LOT 5;  
McKenzie 38.25 AC  
Stipulations: CSU-4, Standard,  
TES

**01-04-63**

T. 137 N, R. 101 W, 5<sup>th</sup> PM, ND PD  
sec 32 LOT 3;  
Billings 23.40 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1,3 NSO-5, Timing-1

**01-04-64**

T. 138 N, R. 102 W, 5<sup>th</sup> PM, ND PD  
sec 8 LOTS 2,3;  
8 NE,NESE,S2SE;  
Billings 307.15 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1,2,3, NSO-1,5,  
Timing-1

**01-04-65**

T. 138 N, R. 102 W, 5<sup>th</sup> PM, ND PD  
sec 12 S2;  
Billings 320.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1,2,3, Lease Notice,  
NSO-1,2,6,7,8, Timing-2

**01-04-66**

T. 139 N, R. 102 W, 5<sup>TH</sup> PM, ND PD  
sec 6 LOTS 1-7 INCL;  
6 S2NE, SENW, E2SW, SE; 2/  
Billings 639.84 AC  
Stipulations: BLM Split Estate,  
TES, R1-FS-2820 CSU-1,2,4,  
NSO-1,2,3,4, Timing-1,2

**01-04-67**

T. 142 N, R. 102 W, 5<sup>th</sup> PM, ND ACQ  
sec 32 N2NE, SWNE, NESW, N2SE,  
SESE;  
Billings 280.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1,2,5, Lease Notice,  
NSO-1, Timing-2,3

**01-04-68**

T. 142 N, R. 102 W, 5<sup>th</sup> PM, ND PD  
sec 32 SENE, NW, NWSW, S2SW,  
SWSE; 2/  
Billings 360.00 AC  
Stipulations: BLM Split Estate,  
TES, R1-FS-2820 CSU-1,2,4,  
NSO-1, Timing-2

**01-04-69**

**Presale: NDM 90335**  
T. 143 N, R. 102 W, 5<sup>TH</sup> PM, ND ACQ  
sec 5 PORTION LOT 1, SENE  
LYING OUTSIDE THE  
THEODORE ROOSEVELT NP;  
5 S2;  
Billings 360.13 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1,3,5, NSO-1,5,  
Timing-3

**01-04-70**

T. 143 N, R. 102 W, 5<sup>th</sup> PM, ND ACQ  
sec 5 LOTS 2,3,4;  
5 SWNE, S2NW;  
Billings 241.02 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1,3, NSO-1

**01-04-71**

T. 143 N, R. 102 W, 5<sup>th</sup> PM, ND PD  
sec 6 LOTS 1-5 INCL;  
6 S2NE, SENW;  
Billings 308.85 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1,2,3, NSO-1

**01-04-72**

T. 143 N, R. 102 W, 5<sup>th</sup> PM, ND ACQ  
sec 6 LOTS 6,7;  
6 E2SW, SE;  
Billings 307.92 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1,2,3,5, NSO-1,  
Timing-3,4

**01-04-73**

T. 143 N, R. 102 W, 5<sup>th</sup> PM, ND ACQ  
sec 7 LOTS 1,2;  
7 E2NW;  
Billings 148.44 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1,2,5, NSO-1,  
Timing-3,4

**01-04-74**

T. 139 N, R. 103 W, 5<sup>th</sup> PM, ND ACQ  
sec 4 LOTS 1,2,3,4;  
4 S2N2, S2;  
5 LOTS 1,2,3,4;  
5 S2N2, S2;  
Golden Valley 1262.80 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1,3, NSO-1,2,9

**01-04-75**

T. 139 N, R. 103 W, 5<sup>TH</sup> PM, ND ACQ  
sec 21 ALL;  
22 S2;  
Golden Valley 960.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1, NSO-1,2,4,6,  
Timing-1,5

**01-04-76**

T. 139 N, R. 103 W, 5<sup>TH</sup> PM, ND ACQ  
sec 24 E2;  
Golden Valley 320.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1, NSO-1

**01-04-77**

T. 143 N, R. 103 W, 5<sup>th</sup> PM, ND ACQ  
sec 1 S2;  
13 N2NE;  
Golden Valley 400.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1,2,5, NSO-1,10,  
Timing-3,4

**01-04-78**

T. 143 N, R. 103 W, 5<sup>th</sup> PM, ND PD  
sec 12 N2;  
Golden Valley 320.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-1,2,5, NSO-1,  
Timing-3,4

**STATISTICS**

<b>Total Parcels:</b>	<b>78</b>
<b>Total Acreage:</b>	<b>50,651.659</b>
<b>No. of Parcels with Presale Offers:</b>	<b>3</b>
<b>Parcel Numbers:</b>	<b>01-04-01 01-04-23 01-04-69</b>
<b>Total Acres with Presale Offers:</b>	<b>1,080.13</b>

### FOOTNOTES

- 1/ The exact metes and bounds description will be made a part of any lease issued for these lands.
- 2/ All or part of the lands are split estate with title to the mineral estate held by the United States. Due to this status, the mineral estate is administered by the Bureau of Land Management (BLM). Permits and approvals will be issued by the authorized BLM Officer. A notice will be attached at lease issuance. This notice will include legal descriptions and information for filing APDs.

## CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

All surface-disturbing activities, semi-permanent and permanent facilities in VRM Class II, areas may require special design, including location, painting, and camouflage, to blend with the natural surroundings and meet the visual quality objectives for the area.

On the lands described below:

For the purpose of:

To control the visual impacts of activities and facilities within acceptable levels.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-22	T 27 N, R 57 E, PMM sec. 17 SWNE,NWSE
01-04-33	T 7 S, R 51 E, PMM sec. 10 N2N2
01-04-34	T 7 S, R 51 E, PMM sec. 4 LOTS 1,2,3,4 4 S2N2 5 LOTS 1,2,3,4 5 SENE,SWNW 6 LOTS 1,2

### CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- Off-site areas will be protected from accelerated erosion, such as rilling, gullyng, piping, and mass wasting.
- Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction will not be allowed when soils are frozen.

On the lands described below:

For the purpose of:

To maintain soil productivity, provide necessary protection to prevent excessive soil erosion on steep slopes, and to avoid areas subject to slope failure, mass wasting, piping, or having excessive reclamation problems.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-24	T 6 S, R 22 E, PMM sec. 3 SESE 10 W2NW,SW
01-04-25	T 7 S, R 23 E, PMM sec. 33 SWSW
01-04-28	T 2 S, R 25 E, PMM sec. 3 LOT 3 3 SWNE 9 W2NW
01-04-30	T 6 S, R 51 E, PMM sec. 22 W2NE,NW,S2
01-04-32	T 7 S, R 51 E, PMM sec. 1 LOTS 1,2,3,4 1 S2N2,S2 2 S2NE,S2 11 ALL 12 N2,SW,N2SE,SWSE

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-33	T 7 S, R 51 E, PMM sec. 3 LOTS 1,2,3,4 3 S2N2,S2 10 ALL
01-04-34	T 7 S, R 51 E, PMM sec. 4 LOTS 1,2,3,4 4 S2N2 5 LOTS 1,2,3,4 5 SENE,SWNW 6 LOTS 12,13,14
01-04-35	T 7 S, R 51 E, PMM sec. 7 LOTS 1-12 INCL 7 E2 9 ALL
01-04-38	T 8 S, R 52 E, PMM sec. 24 NESE
01-04-39	T 9 S, R 52 E, PMM sec. 27 E2W2 35 LOTS 1,2,3,4 35 N2,N2S2
01-04-43	T 9 S, R 53 E, PMM sec. 6 LOTS 1,2,3,4 6 NE,E2NW,NESW,N2SE 7 LOT 4 7 SESW 18 LOTS 1,2,3,4 18 E2,E2W2
01-04-44	T 7 S, R 54 E, PMM sec. 29 E2NE,W2,SE

**CONTROLLED SURFACE USE STIPULATION**

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance, prairie dog colonies and complexes 80 acres or more in size will be examined to determine the absence or presence of black-footed ferrets. The findings of this examination may result in some restrictions to the operator's plans or may even preclude use and occupancy that would be in violation of the Endangered Species Act (ESA) of 1973.

The lessee or operator may, at their own option, conduct an examination on the leased lands to determine if black-footed ferrets are present, or if the proposed activity will have an adverse effect, or if the area can be cleared. This examination must be done by or under the supervision of a qualified resource specialist approved by the Surface Management Agency (SMA).

An acceptable report must be provided to the SMA documenting the presence or absence of black-footed ferrets and identifying the anticipated effects of the proposed action on the black-footed ferret and its habitat. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

For the purpose of:

To assure compliance with the Endangered Species Act (ESA) by locating and protecting black-footed ferrets and their habitat.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-29	T 6 S, R 51 E, PMM sec. 20 SWNE, SWNW, NESW, NWSE
01-04-43	T 9 S, R 53 E, PMM sec. 7 SESW
01-04-44	T 7 S, R 54 E, PMM sec. 20 SWNW

## CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

No disturbance of riparian areas of wetlands, intermittent, ephemeral, or perennial streams and rivers would be allowed except for essential road and utility crossings.

On the lands described below:

For the purpose of:

Protection of riparian habitat (NDRMP - P. 20).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-45	T 150 N, R 95 W, 5 <sup>TH</sup> PM sec. 24 LOT 4
01-04-46	T 148 N, R 96 W, 5 <sup>TH</sup> PM sec. 3 LOTS 3,4 3 SWNW,W2SW
01-04-47	T 148 N, R 96 W, 5 <sup>TH</sup> PM sec. 4 LOTS 1,2 4 S2NE
01-04-62	T 151 N, R 99 W, 5 <sup>TH</sup> PM sec. 6 LOT 5

## LEASE NOTICE

This lease parcel contains the bed of the Milk River and associated riparian areas. The following surface use or occupancy exclusion provision of the "Standard" stipulation applies to all of the lands in the lease parcel to mitigate impacts to semi-permanent and permanent wetlands.

500 feet, or when necessary, within the 25-year flood plain from reservoirs, lakes, and ponds and intermittent, ephemeral or small perennial streams: 1,000 feet, or when necessary, within the 100-year flood plain from larger perennial streams, rivers and domestic water supplies.

Parcel Number  
01-04-02

## LEASE NOTICE

The Surface Management Agency is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures. Guidance for application of this requirement can be found in NTL-MSO-85-1.

This notice would be consistent with the present Montana guidance for cultural resource protection related to oil and gas operations (NTL-MSO-85-1).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-07	T 3 N, R 25 E, PMM sec. 26: N2SE
01-04-08	T 3 N., R 26 E, PMM sec. 18 LOT 1 18 N2NE, NENW
01-04-09	T 3 N, R 26 E, PMM sec. 32 S2SE
01-04-24	T 6 S, R 22 E, PMM sec. 3 LOT 4 3 SWNW, SESE 4 SWNW 10 NWNE, W2NW, SW
01-04-26	T 8 S, R 23 E, PMM sec. 11 SWNW
01-04-27	T 2 S, R 24 E, PMM sec. 26 LOT 2 26 RIVERBED RIPARIAN TO LOT 2
01-04-28	T 2 S, R 25 E, PMM sec. 3 LOTS 3, 4, 5 3 S2NE 9 W2NW

**LEASE NOTICE**

There are cultural sites in the following locations:

In accordance with 43 CFR 3101.1-2, additional mitigation may be required in regard to exploration and development.

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-09	T 3 N, R 26 E, PMM sec. 32 S2SE
01-04-26	T 8 S, R 23 E, PMM sec. 11 SWNW

## LEASE NOTICE

Lease is located adjacent to the Weatherman Draw district, and contains high potential for National Register eligible historic and cultural properties. Lessees are notified that archaeological resource inventory and mitigation costs may be high within this area.

Initial oil and gas exploration will be allowed with standard cultural resource inventory stipulations (NTL-MSO-1-85). Exploratory well pads will be investigated with a ten acre buffer zone around the well. Access roads and pipelines will be inventoried within a 100 foot-wide right of way.

Archaeological Inventories will be completed and reports submitted prior to the submission of or as part of a completed APD.

Secondary, in-filling or full field development will require more extensive archaeological inventory. Large block or landscape based inventories may be required.

A cultural plan of operations will be developed in consultation with the Billings Field Office and must be approved before field development takes place. All surface use plans will be presented to the Billings Field Office archaeologist for approval.

On the lands described below:

For the purpose of:

The avoidance and protection of National Register eligible historic properties situated within the lease parcels.

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-25	T 7 S, R 23 E, PMM sec. 33 E2, SW 34 NWNE, SWNW, NWSW 35 E2, E2W2
01-04-26	T 8 S, R 23 E, PMM sec. 1 LOTS 1,4 2 LOTS 1,2,3 2 SWNE, W2SW, NWSE, SESE 11 NW, NWSW, SWSE 12 E2, N2SW, SESW 13 S2NE, SWNW, S2

**NO SURFACE OCCUPANCY STIPULATION**

Surface occupancy and use is prohibited within riparian areas, 100-year flood plains of major rivers, and on water bodies and streams.

On the lands described below:

For the purpose of:

To protect the unique biological and hydrological features associated with riparian areas, 100-year flood plains of major rivers, and water bodies and streams.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-07	T 3 N, R 25 E, PMM sec. 26 N2SE
01-04-26	T 8 S, R 23 E, PMM sec. 11 SWSE
01-04-27	T 2 S, R 24 E, PMM sec. 26 LOT 2 26 RIVERBED RIPARIAN TO LOT 2
01-04-28	T 2 S, R 25 E, PMM sec. 3 LOTS 3,4,5 3 S2NE

**NO SURFACE OCCUPANCY STIPULATION**

No surface occupancy (NSO) or use would be allowed within one-half mile of prairie falcon nests known to be occupied at least once within the seven previous years.

On the lands described below:

For the purpose of:

Protection of prairie falcon nesting (NDRMP - p. 20)

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-46	T 148 N, R 96 W, 5 <sup>TH</sup> PM sec. 3 LOTS 3,4 3 SWNW,W2SW

UNITED STATES DEPARTMENT OF THE INTERIOR  
Bureau of Land Management  
P. O. Box 36800  
Billings, Montana 59107

**OIL AND GAS LEASE STIPULATIONS**

**ESTHETICS**--To maintain esthetic values, all surface-disturbing activities, semipermanent and permanent facilities may require special design including location, painting and camouflage to blend with the natural surroundings and meet the intent of the visual quality objectives of the Federal Surface Managing Agency (SMA).

**EROSION CONTROL**--Surface-disturbing activities may be prohibited during muddy and/or wet soil periods.

**CONTROLLED OR LIMITED SURFACE USE STIPULATION** --This stipulation may be modified, consistent with land use documents, when specifically approved in writing by the Bureau of Land Management (BLM) with concurrence of the SMA. Distances and/or time periods may be made less restrictive depending on the actual onground conditions. The prospective lessee should contact the SMA for more specific locations and information regarding the restrictive nature of this stipulation.

The lessee/operator is given notice that the lands within this lease may include special areas and that such areas may contain special values, may be needed for special purposes, or may require special attention to prevent damage to surface and/or other resources. Possible special areas are identified below. Any surface use or occupancy within such special areas will be strictly controlled, or **if absolutely necessary**, excluded. Use or occupancy will be restricted only when the BLM and/or the SMA demonstrates the restriction necessary for the protection of such special areas and existing or planned uses. Appropriate modifications to imposed restrictions will be made for the maintenance and operations of producing oil and gas wells.

After the SMA has been advised of specific proposed surface use or occupancy on the leased lands, and on request of the lessee/operator, the Agency will furnish further data on any special areas which may include:

100 feet from the edge of the rights-of-way from highways, designated county roads and appropriate federally-owned or controlled roads and recreation trails.

500 feet, or when necessary, within the 25-year flood plain from reservoirs, lakes, and ponds and intermittent, ephemeral or small perennial streams: 1,000 feet, or when necessary, within the 100-year flood plain from larger perennial streams, rivers, and domestic water supplies.

500 feet from grouse strutting grounds. Special care to avoid nesting areas associated with strutting grounds will be necessary during the period from March 1, to June 30. One-fourth mile from identified essential habitat of state and federal sensitive species. Crucial wildlife winter ranges during the period from December 1 to May 15, and in elk calving areas during the period from May 1 to June 30.

300 feet from occupied buildings, developed recreational areas, undeveloped recreational areas receiving concentrated public use and sites eligible for or designated as National Register sites.

Seasonal road closures, roads for special uses, specified roads during heavy traffic periods and on areas having restrictive off-road vehicle designations.

On slopes over 30 percent or 20 percent on extremely erodable or slumping soils.

Standard(May 2001)

**See Notice on Back**

#### NOTICE

**APPLICATIONS FOR PERMIT TO DRILL (APDs)**--The appropriate BLM field offices are responsible for the receipt, processing, and approval of APDs. The APDs are to be submitted by oil and gas operators pursuant to the requirements found in Onshore Oil and Gas Order No. 1 -- Approval of Operations on Onshore Federal and Indian Oil and Gas Leases (Circular No. 2538). Additional requirements for the conduct of oil and gas operations can be found in the Code of Federal Regulations Title 43, Part 3160. Copies of Onshore Oil and Gas Order No. 1, and pertinent regulations, can be obtained from the BLM field offices in which the operations are proposed. Early coordination with these offices on proposals is encouraged.

**CULTURAL AND PALEONTOLOGICAL RESOURCES**--The SMA is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the SMA, shall:

1. Contact the appropriate SMA to determine if a site-specific cultural resource inventory is required. If an inventory is required, then:
2. Engage the services of a cultural resource specialist acceptable to the SMA to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the SMA for review and approval no later than that time when an otherwise complete application for approval of drilling or subsequent surface-disturbing operation is submitted.
3. Implement mitigation measures required by the SMA. Mitigation may include the relocation of proposed lease-related activities or other protective measures such as testing salvage and recordation. Where impacts to cultural resources cannot be mitigated to the satisfaction of the SMA, surface occupancy on that area must be prohibited.

The operator shall immediately bring to the attention of the SMA any cultural or paleontological resources discovered as a result of approved operations under this lease, and not disturb such discoveries until directed to proceed by the SMA.

**ENDANGERED OR THREATENED SPECIES**--The SMA is responsible for assuring that the leased land is examined prior to undertaking any surface-disturbing activities to determine effects upon any plant or animal species, listed or proposed for listing as endangered or threatened, or their habitats. The findings of this examination may result in some restrictions to the operator's plans or even disallow use and occupancy that would be in violation of the Endangered Species Act of 1973 by detrimentally affecting endangered or threatened species or their habitats.

The lessee/operator may, unless notified by the authorized officer of the SMA that the examination is not necessary, conduct the examination on the leased lands at his discretion and cost. This examination must be done by or under the supervision of a qualified resources specialist approved by the SMA. An acceptable report must be provided to the SMA identifying the anticipated effects of a proposed action on endangered or threatened species or their habitats.

#### Parcel Numbers

01-04-01, 01-04-02, 01-04-03, 01-04-04, 01-04-05, 01-04-06, 01-04-10,  
01-04-11, 01-04-12, 01-04-13, 01-04-14, 01-04-15, 01-04-16, 01-04-17,  
01-04-18, 01-04-19, 01-04-23, 01-04-45, 01-04-46, 01-04-47, 01-04-62

Standard Oil and Gas Stipulations

**NOTICE FOR LANDS UNDER THE JURISDICTION OF THE  
FOREST SERVICE AND BUREAU OF LAND MANAGEMENT**

**SPLIT ESTATE LANDS:** The lands included in this lease are split estate Title to the mineral estate is held by the United States and the surface is non-Federal ownership. Due to this status the mineral estate is administered by the BLM even though these lands are within a U.S. Forest Service withdrawal.

For split estate lands, BLM places necessary lease stipulations and conditions of approval on permitted activities and works in cooperation with the surface owner.

**SURFACE MANAGEMENT OF SPLIT ESTATE LANDS:** The BLM has the statutory authority to require lease stipulations and conditions of approval for activities of its lessees to minimize adverse impacts that may result from Federally-authorized mineral lease activities. These stipulations and conditions of approval are intended to comply with the BLM's responsibilities under the Endangered Species Act, the National Historic Preservation Act, and the National Environmental Policy Act and to protect or preserve the privately-owned resources while preventing adverse impacts to adjoining lands, not to dictate management to the surface owner.

**APPLICATIONS FOR PERMIT TO DRILL (APDs):** The BLM Office is responsible for the receipt, processing, and approval of APDs. This office is located at:

North Dakota Field Office  
2933 Third Avenue West  
Dickinson, North Dakota 58601-2619

The APDs are to be submitted by oil and gas operators pursuant to the requirements found in Onshore Oil and Gas Order No. 1 - Approval of Operations on Onshore Federal and Indian Oil and Gas Leases (Circular No. 2538). Additional requirements for the conduct of oil and gas operations on federal oil and gas leases can be found in the Code of Federal regulations Title 43, Part 3160. Copies of Onshore Oil and Gas Order No. 1, and pertinent regulations, can be obtained from the BLM office listed above. Early coordination with this office on proposals is encouraged.

Parcel Number  
01-04-66, 01-04-68

BLM Split Estate

## Endangered Species Act Section 7 Consultation Stipulation

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. § 1531 et seq., including completion of any required procedure for conference or consultation.

### Parcel Numbers

01-04-01, 01-04-02, 01-04-03, 01-04-04, 01-04-05, 01-04-06, 01-04-10,  
01-04-11, 01-04-12, 01-04-13, 01-04-14, 01-04-15, 01-04-16, 01-04-17,  
01-04-18, 01-04-19, 01-04-23, 01-04-45, 01-04-46, 01-04-47, 01-04-62

TES

### TIMING LIMITATION STIPULATION

Surface use is prohibited from December 1 to March 31 within crucial winter range for wildlife. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

For the purpose of (reasons):

To protect crucial white-tailed deer, mule deer, elk, antelope, moose, bighorn sheep, and sage grouse winter range from disturbance during the winter use season, and to facilitate long-term maintenance of wildlife populations.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-07	T 3 N, R 25 E, PMM sec. 26: SESW
01-04-08	T 3 N, R 26 E, PMM sec. 18 LOT 1 18 NENE, NENW
01-04-09	T 3 N, R 26 E, PMM sec. 32 S2SE
01-04-27	T 2 S, R 24 E, PMM sec. 26 LOT 2 26 RIVERBED RIPARIAN TO LOT 2
01-04-33	T 7 S, R 51 E, PMM sec. 3 LOTS 1,2,3,4 3 S2N2,S2 10 ALL
01-04-34	T 7 S, R 51 E, PMM sec. 4 LOTS 1,2,3,4 4 S2N2,S2
01-04-35	T 7 S, R 51 E, PMM sec. 8 W2,NWSE
01-04-38	T 8 S, R 52 E, PMM sec. 29 SWNE, SENW
01-04-39	T 9 S, R 52 E, PMM sec. 27 E2W2, NWNW
01-04-40	T 6 S, R 53 E, PMM sec. 8 S2

01-04-41

T 6 S, R 53 E, PMM  
sec. 15 S2  
22 ALL  
27 N2NE, NENW

TIMING-1  
PAGE 2 OF 2

## TIMING LIMITATION STIPULATION

Surface use is prohibited from March 1 to June 15 in grouse nesting habitat within 2 miles of a lek. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

For the purpose of (reasons):

To protect sharptail and sage grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for the long-term maintenance of grouse populations in the area.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-07	T 3 N, R 25 E, PMM sec. 26 NE,NESW,N2SE
01-04-08	T 3 N, R 26 E, PM sec. 18 LOT 1 18 N2NE,NENW
01-04-09	T 3 N, R 26 E, PMM sec. 32 S2SE
01-04-25	T 7 S, R 23 E, PMM sec. 33 E2,SW 34 NWNE,SWNW,NWSW 35 E2,E2W2
01-04-26	T 8 S, R 23 E, PMM sec. 1 LOT 4 2 LOTS 1,2,3 2 SWNE,W2SW,NWSE,SESE 11 NW,NWSW
01-04-41	T 6 S, R 53 E, PMM sec. 22 ALL 27 N2NE,NENW
01-04-42	T 7 S, R 53 E, PMM sec. 15 SWSW

TIMING-2

### TIMING LIMITATION STIPULATION

Surface use is prohibited from March 1 - August 1, within 1/2 mile of raptor nest sites which have been active within the past 2 years. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

For the purpose of (reasons):

To protect nest sites of raptors which have been identified as species of special concern in Montana, North or South Dakota.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-26	T 8 S, R 23 E, PMM sec. 11 SWNW

TIMING-3

### TIMING LIMITATION STIPULATION

No surface use (NSU) would be allowed within one-half mile of occupied prairie falcon nests during the following time period: March 15 to July 15. This stipulation does not apply to operation and maintenance of production facilities.

On the lands described below:

For the purpose of (reasons):

Protection of prairie falcon nesting (NDRMP - p. 20).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-46	T 148 N, R 96 W, 5 <sup>TH</sup> PM sec. 3 LOTS 3,4 3 SWNW,W2SW

## TIMING LIMITATION STIPULATION

No surface use (NSU) would be allowed on elk winter range during the following time period: November 30 to May 1. This stipulation does not apply to operation and maintenance of production facilities.

On the lands described below:

For the purpose of (reasons):

Protection of wintering elk (NDRMP - p. 20).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-46	T 148 N, R 96 W, 5 <sup>TH</sup> PM sec. 3 LOTS 3,4 3 SWNW,W2SW
01-04-47	T 148 N, R 96 W, 5 <sup>TH</sup> PM sec. 4 LOTS 1,2 4 S2NE

### TIMING LIMITATION STIPULATION

No surface use (NSU) would be allowed for elk calving during the following time period: June 1 to July 1. This stipulation does not apply to operation and maintenance of production facilities.

On the lands described below:

For the purpose of (reasons):

Protection of elk calving (NDRMP - p. 20).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-46	T 148 N, R 96 W, 5 <sup>TH</sup> PM sec. 3 LOTS 3,4 3 SWNW,W2SW
01-04-47	T 148 N, R 96 W, 5 <sup>TH</sup> PM sec. 4 LOTS 1,2 4 S2NE

LEASE STIPULATIONS  
BUREAU OF RECLAMATION

The lessee agrees to maintain, if required by the lessor during the period of this lease, including any extension thereof, an additional bond with qualified sureties in such sum as the lessor, if it considers that the bond required under Section 2(a) is insufficient, may at any time require:

(a) to pay for damages sustained by any reclamation homestead entryman to his crops or improvements caused by drilling or other operations of the lessee, such damages to include the reimbursement of the entryman by the lessee, when he uses or occupies the land of any homestead entryman, for all construction and operation and maintenance charges becoming due during such use or occupation upon any portion of the land so used and occupied;

(b) to pay any damage caused to any reclamation project or water supply thereof by the lessee's failure to comply fully with the requirements of this lease; and

(c) to recompense any nonmineral applicant, entryman, purchaser under the Act of May 16, 1930 (46 Stat. 367), or patentee for all damages to crops or to tangible improvements caused by drilling or other prospecting operation, where any of the lands covered by this lease are embraced in any nonmineral application, entry, or patent under rights initiated prior to the date of this lease, with a reservation of the oil deposits, to the United States pursuant to the Act of July 17, 1914 (38 Stat. 509).

As to any lands covered by this lease within the area of any Government reclamation project, or in proximity thereto, the lessee shall take such precautions as required by the Secretary to prevent any injury to the lands susceptible to irrigation under such project or to the water supply thereof; *provided* that drilling is prohibited on any constructed works or right-of-way of the Bureau of Reclamation, and *provided, further*, that there is reserved to the lessor, its successors and assigns, the superior and prior right at all times to construct, operate, and maintain dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, appurtenant irrigation structures, and reclamation works, in which construction, operation, and maintenance, the lessor, its successors and assigns, shall have the right to use any or all of the lands herein described without making compensation therefor, and shall not be responsible for any damage from the presence of water thereon or on account of ordinary, extraordinary, unexpected, or unprecedented floods. That nothing shall be done under this lease to increase the cost of, or interfere in any manner with, the construction, operation, and maintenance of such works. It is agreed by the lessee that, if the construction of any or all of said dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone or telegraph lines, electric transmission lines, roadways, appurtenant irrigation structures or reclamation works across, over, or upon said lands should be made more expensive by reason of the existence of the improvements and workings of the lessee thereon, said additional expense is to be estimated by the Secretary of the Interior, whose estimate is to be final and binding upon the parties hereto, and

(continued on reverse)

that within thirty (30) days after demand is made upon the lessee for payment of any such sums, the lessee will make payment thereof to the United States, or its successors, constructing such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, appurtenant irrigation structures, or reclamation works, across, over, or upon said lands; *provided, however*, that subject to advance written approval by the United States, the location and course of any improvements or works and appurtenances may be changed by the lessee; *provided, further*, that the reservations, agreements, and conditions contained in the within lease shall be and remain applicable notwithstanding any change in the location or course of said improvements or works of lessee. The lessee further agrees that the United States, its officers, agents, and employees, and its successors and assigns shall not be held liable for any damage to the improvements or workings of the lessee resulting from the construction, operation, and maintenance of any of the works hereinabove enumerated. Nothing in this paragraph shall be construed as in any manner limiting other reservations in favor of the United States contained in this lease.

THE LESSEE FURTHER AGREES That there is reserved to the lessor, its successors and assigns, the prior right to use any of the lands herein leased, to construct, operate, and maintain dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures, and also the right to remove construction materials therefrom, without any payment made by the lessor or its successors for such right, with the agreement on the part of the lessee that if the construction of any or all of such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands or the removal of construction materials therefrom, should be made more expensive by reason of the existence of improvements or workings of the lessee thereon, such additional expense is to be estimated by the Secretary of the Interior, whose estimate is to be final and binding upon the parties hereto, and that within thirty (30) days after demand is made upon the lessee for payment of any such sums, the lessee will make payment thereof to the United States or its successors constructing such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands or removing construction materials therefrom. The lessee further agrees that the lessor, its officers, agents, and employees and its successors and assigns shall not be held liable for any damage to the improvements or workings of the lessee resulting from the construction, operation, and maintenance of any of the works herein above enumerated. Nothing contained in this paragraph shall be construed as in any manner limiting other reservations in favor of the lessor contained in this lease.

To insure against the contamination of the waters of the \_\_\_\_\_ Reservoir,  
\_\_\_\_\_, Project, State of \_\_\_\_\_, the lessee agrees that  
the following further conditions shall apply to all drilling and operations on lands covered by this lease, which  
lie within the flowage or drainage area of the \_\_\_\_\_ Reservoir, as such area  
is defined by the Bureau of Reclamation:

1. The drilling sites for any and all wells shall be approved by the Superintendent,  
Bureau of Reclamation, \_\_\_\_\_ Project, \_\_\_\_\_ before  
drilling begins. Sites for the construction of pipe-line rights-of-way or other authorized facilities shall also be  
approved by the Superintendent before construction begins.

2. All drilling or operation methods or equipment shall, before their employment, be  
inspected and approved by the Superintendent of the \_\_\_\_\_ Project,  
, and by the supervisor of the U.S. Geological Survey having jurisdiction over the area.

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Parcel Number  
01-04-02

**SPECIAL STIPULATION - BUREAU OF RECLAMATION**

To avoid interference with recreation development and/or impacts to fish and wildlife habitat and to assist in preventing damage to any Bureau of Reclamation dams, reservoirs, canals, ditches, laterals, tunnels, and related facilities, and contamination of the water supply therein, the lessee agrees that the following conditions shall apply to all exploration and developmental activities and other operation of the works thereafter on lands covered by this lease:

1. Prior to commencement of any surface-disturbing work including drilling, access road work, and well location construction, a surface use and operations plan will be filed with the appropriate officials. A copy of this plan will be furnished to the Regional Director, Great Plains Region, Bureau of Reclamation, P.O. Box 36900, Billings, MT 59107-6900, for review and consent prior to approval of the plan. Such approval will be conditioned on reasonable requirements needed to prevent soil erosion, water pollution, and unnecessary damages to the surface vegetation and other resources, including cultural resources, of the United States, its lessees, permittees, or licensees, and to provide for the restoration of the land surface and vegetation. The plan shall contain provisions as the Bureau of Reclamation may deem necessary to maintain proper management of the water, recreation, lands structures, and resources, including cultural resources, within the prospecting, drilling, or construction area.

Drilling sites for all wells and associated investigations such as seismograph work shall be included in the above-mentioned surface use and operation plan.

If later explorations require departure from or additions to the approved plan, these revisions or amendments, together with a justification statement for proposed revisions, will be submitted for approval to the Regional Director, Great Plains Region, Bureau of Reclamation, or his authorized representative.

Any operations conducted in advance of approval of an original, revised, or amended prospecting plan, or which are not in accordance with an approved plan constitute a violation of the terms of this lease. The Bureau of Reclamation reserves the right to close down operations until such corrective action, as is deemed necessary, is taken by the lessee.

2. No occupancy of the surface of the following excluded areas is authorized by this lease. It is understood and agreed that the use of these areas for Bureau of Reclamation purposes is superior to any other use. The following restrictions apply only to mineral tracts located within the boundary of a Bureau of Reclamation project where the United States owns 100 percent of the fee mineral interest.

- a. Within 500 feet on either side of the centerline of any and all roads or highways within the leased area.
- b. Within 200 feet on either side of the centerline of any and all trails within the leased area.
- c. Within 500 feet of the normal high-water line of any and all live streams in the leased area.
- d. Within 400 feet of any and all recreation developments within the leased area.
- e. Within 400 feet of any improvements either owned, permitted, leased, or otherwise authorized by the Bureau of Reclamation within the leased area.
- f. Within 200 feet of established crop fields, food plots, and tree/shrub plantings within the leased area.
- g. Within 200 feet of slopes steeper than a 2:1 gradient within the leased area.
- h. Within established rights-of-way of canals, laterals, and drainage ditches within the leased area.
- i. Within a minimum of 500 feet horizontal from the centerline of the facility or 50 feet from the outside toe of the canal, lateral, or drain embankment, whichever distance is greater, for irrigation facilities without clearly marked rights-of-way within the leased area.
- j. Providing that appropriate environmental compliance measures can be ensured, and providing further that Reclamation project works and other public interests can be protected, Reclamation may consider, on a case-by-case basis, waiving the requirement specified in Section 2 hereof. **HOWEVER, LESSEES ARE ADVISED THAT OBTAINING SUCH A WAIVER CAN BE A DIFFICULT, TIME CONSUMING, AND COSTLY PROCESS WITH NO GUARANTEE THAT RECLAMATION WILL GRANT THE REQUESTED WAIVER.**

3. No occupancy of the surface or surface drilling will be allowed in the following areas. In addition, no directional drilling will be allowed that would intersect the subsurface zones delineated by a vertical plane in these areas. The following restrictions apply only to mineral tracts located within the boundary of a Bureau of Reclamation project, where the United States owns 100 percent of the fee mineral interest in said tract, or tracts.

a. Within 1,000 feet of the maximum water surface, as defined in the Standard Operating Procedures (SOP), of any reservoirs and related facilities located within the leased area.

b. Within 2,000 feet of dam embankments and appurtenance structures such as spillway structures, outlet works, etc.

c. Within one-half (1/2) mile horizontal from the centerline of any tunnel within the leased area.

d. Providing that appropriate environmental compliance measures can be ensured, and providing further that Reclamation project works and other public interests can be protected. Reclamation may consider, on a case-by-case basis, waiving the requirements specifies in Section 3 hereof. **HOWEVER, LESSEES ARE ADVISED THAT OBTAINING SUCH A WAIVER CAN BE A DIFFICULT, TIME CONSUMING, AND COSTLY PROCESS WITH NO GUARANTEE THAT RECLAMATION WILL GRANT THE REQUESTED WAIVER.**

4. The distances stated in items 2 and 3 above are intended to be general indicators only. The Bureau of Reclamation reserves the right to revise these distances as needed to protect Bureau of Reclamation facilities.

5. The use of explosives in any manner shall be so controlled that the works and facilities of the United States, its successors and assigns, will in no way be endangered or damaged. In this connection, an explosives use plan shall be submitted to and approved by the Regional Director, Great Plains Region, Bureau of Reclamation, or his/her authorized representative.

6. The lessee shall be liable for all damage to the property of the United States, its successors or assigns, resulting from the exploration, development, or operation of the works contemplated by this lease, and shall further hold the United States, its successors or assigns, and its officers, agents, and employees, harmless from all claims of third parties for injury or damage sustained or in any way resulting from the exercise of the rights and privileges conferred by the lease.

7. The lessee shall be liable for all damages to crops or improvements of any entryman, nonmineral applicant, or patentee, their successors or assigns, caused by or resulting from the drilling or other operations of the lessee, including reimbursement of any entryman or patentee, their successors or assigns, for all construction, operation, and maintenance charges becoming due on any portion of their said lands damaged as a result of the drilling or other operation of the lessee.

8. In addition to any other bond required under the provisions of this lease, the lessee shall provide such bond as the United States may at any time require for damages which may arise under the liability provisions of Section six (6) and seven (7) above.

Parcel Number  
01-04-02

**NOTICE FOR LANDS OF THE NATIONAL FOREST SYSTEM  
UNDER JURISDICTION OF  
DEPARTMENT OF AGRICULTURE**

The permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of Interior in the permit. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of an exploration plan by the Secretary of the Interior, (2) uses of all existing improvements, such as forest development roads, within and outside the area permitted by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by an exploration plan approved by the Secretary of the Interior.

All matters related to this stipulation are to be addressed to:

District Ranger, McKenzie Ranger District  
Dakota Prairie Grasslands  
1901 South Main Street  
Watford City, ND 58854

who is the authorized representative of the Secretary of Agriculture.

**CULTURAL RESOURCES** - The FS is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures, in accordance with the Archaeological Resources Protection Act of 1979, the National Historic Preservation Act of 1966 (as amended), and the American Indian Religious Freedom Act of 1996. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the FS, shall:

1. Contact the FS to determine if a site specific cultural resource inventory is required. If a survey is required, then:
2. Engage the services of a cultural resource specialist acceptable to the FS to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the FS for review and approval at the time a surface disturbing plan of operation is submitted.
3. Implement mitigation measures required by the FS and BLM to preserve or avoid destruction of cultural resource values. Mitigation may include relocation of proposed facilities, testing, salvage, and recordation or other protective measures. All costs of the inventory and mitigation will be borne by the lessee or operator, and all data and materials salvaged will remain under the jurisdiction of the U.S. Government as appropriate.

The lessee or operator shall immediately bring to the attention of the FS and BLM any cultural or resources or any other objects of scientific interest discovered as a result of surface operations under this lease, and

shall leave such discoveries intact until directed to proceed by FS and BLM.

**Vertebrate Paleontology Notice** - The FS is responsible for assuring that the leased lands are examined to determine if paleontological resources are present and to specify mitigation measures, in accordance with Organic Act, and the National Forest Management Act of 1976

Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the Forest Service, shall:

1. Contact the Forest Service to determine if a site-specific vertebrate paleontologic inventory is required. The Forest Service will conduct inventories and surveys as part of the field review for the proposed activity on the lease. The operator may voluntarily engage the services of a qualified paleontologist to conduct the inventory.
2. Implement mitigation measures required by the Forest Service and Bureau of land management to preserve or avoid destruction of vertebrate paleontologic resources. Mitigation may include relocation of proposed facilities or other protective measures.
3. The lessee or operator shall immediately bring to the attention of the Forest Service any vertebrate paleontologic resources discovered as a result of surface operation under this lease, and shall leave such discoveries intact until directed to proceed by the Forest Service.

**FLOODPLAIN AND WETLANDS** - The lessee is hereby notified that this lease may contain land within a riparian ecosystem. All activities within this area may be highly restricted in order to comply with Executive Order 11988 - *Floodplain Management* and Executive Order 11990 - *Protection of Wetlands*, in order to preserve and restore or enhance the natural and beneficial values served by floodplains and wetlands.

Riparian ecosystems will be managed by the Forest Service to protect from conflicting uses in order to provide healthy, self-perpetuating plant and water communities that will have optimum diversity and density of understory and overstory vegetation. Occupancy and use of lands within riparian ecosystems proposed in a proposed Surface Use Plan of Operations will be considered in an environmental analysis done to identify the mitigation measures necessary to protect the riparian area. Special measures such as road design, well pad size and location or directional drilling, may be made part of the permit authorizing the activity.

Parcel Number

01-04-48, 01-04-49, 01-04-50, 01-04-51, 01-04-52, 01-04-53, 01-04-54, 01-04-55, 01-04-56, 01-04-57, 01-04-58, 01-04-59, 01-04-60, 01-04-61

**NOTICE FOR LANDS OF THE NATIONAL FOREST SYSTEM  
UNDER JURISDICTION OF  
DEPARTMENT OF AGRICULTURE**

The permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of Interior in the permit. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of an exploration plan by the Secretary of the Interior, (2) uses of all existing improvements, such as forest development roads, within and outside the area permitted by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by an exploration plan approved by the Secretary of the Interior.

All matters related to this stipulation are to be addressed to:

District Ranger, Medora Ranger District  
Dakota Prairie Grasslands  
161 21st Street West  
Dickinson, ND 58601-3135

who is the authorized representative of the Secretary of Agriculture.

**CULTURAL RESOURCES** - The FS is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures, in accordance with the Archaeological Resources Protection Act of 1979, the National Historic Preservation Act of 1966 (as amended), and the American Indian Religious Freedom Act of 1996. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the FS, shall:

1. Contact the FS to determine if a site specific cultural resource inventory is required. If a survey is required, then:
2. Engage the services of a cultural resource specialist acceptable to the FS to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the FS for review and approval at the time a surface disturbing plan of operation is submitted.
3. Implement mitigation measures required by the FS and BLM to preserve or avoid destruction of cultural resource values. Mitigation may include relocation of proposed facilities, testing, salvage, and recordation or other protective measures. All costs of the inventory and mitigation will be borne by the lessee or operator, and all data and materials salvaged will remain under the jurisdiction of the U.S. Government as appropriate.

The lessee or operator shall immediately bring to the attention of the FS and BLM any cultural or resources or any other objects of scientific interest discovered as a result of surface operations under this lease, and

shall leave such discoveries intact until directed to proceed by FS and BLM.

**Vertebrate Paleontology Notice** - The FS is responsible for assuring that the leased lands are examined to determine if paleontological resources are present and to specify mitigation measures, in accordance with Organic Act, and the National Forest Management Act of 1976

Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the Forest Service, shall:

4. Contact the Forest Service to determine if a site-specific vertebrate paleontologic inventory is required. The Forest Service will conduct inventories and surveys as part of the field review for the proposed activity on the lease. The operator may voluntarily engage the services of a qualified paleontologist to conduct the inventory.
5. Implement mitigation measures required by the Forest Service and Bureau of land management to preserve or avoid destruction of vertebrate paleontologic resources. Mitigation may include relocation of proposed facilities or other protective measures.
6. The lessee or operator shall immediately bring to the attention of the Forest Service any vertebrate paleontologic resources discovered as a result of surface operation under this lease, and shall leave such discoveries intact until directed to proceed by the Forest Service.

**FLOODPLAIN AND WETLANDS** - The lessee is hereby notified that this lease may contain land within a riparian ecosystem. All activities within this area may be highly restricted in order to comply with Executive Order 11988 - *Floodplain Management* and Executive Order 11990 - *Protection of Wetlands*, in order to preserve and restore or enhance the natural and beneficial values served by floodplains and wetlands.

Riparian ecosystems will be managed by the Forest Service to protect from conflicting uses in order to provide healthy, self-perpetuating plant and water communities that will have optimum diversity and density of understory and overstory vegetation. Occupancy and use of lands within riparian ecosystems proposed in a proposed Surface Use Plan of Operations will be considered in an environmental analysis done to identify the mitigation measures necessary to protect the riparian area. Special measures such as road design, well pad size and location or directional drilling, may be made part of the permit authorizing the activity.

Parcel Number

01-04-63, 01-04-64, 01-04-65, 01-04-67, 01-04-69, 01-04-70, 01-04-71, 01-04-72, 01-04-73, 01-04-74, 01-04-75, 01-04-76, 01-04-77, 01-04-78

R1-FS-2820-13d

**USDA - FOREST SERVICE  
THREATENED, ENDANGERED, AND SENSITIVE  
PLANT OR ANIMAL SPECIES LEASE NOTICE**

The lease area may contain threatened and endangered species or habitat necessary for the continued existence of threatened, proposed, candidate or endangered species which are protected by the 1973 Endangered Species Act, as amended (16 USC 1531 et seq.) and implementing regulations (50 CFR 402 et seq.). The lease area may also contain habitat or species, which may require protective measures to prevent them from being listed as threatened or endangered; or result in a loss of viability or biological diversity (36 CFR 219.19 or 219.26). A biological evaluation of the leased lands may be required prior to surface disturbance to determine if endangered, threatened, proposed, candidate or sensitive plant or animal species or their habitat are present and to identify needed mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator shall:

1. Contact the Forest Service to determine if a biological evaluation is required. The Forest Service is responsible for ensuring that the leased land is examined through a biological evaluation, prior to undertaking any surface-disturbing activities, to determine effects upon any plant or animal species listed or proposed for listing as threatened, endangered, or a sensitive species.
2. The lessee or operator may choose to conduct the evaluation on the leased lands at their discretion and cost. This biological evaluation must be done by or under the supervision of a qualified biologist/botanist approved by the Forest Service. An acceptable report must be provided to the Forest Service identifying the anticipated effects of a proposed action on endangered, threatened, proposed, candidate or sensitive species. An acceptable biological evaluation is to be submitted to the Forest Service for review and approval no later than that time when an otherwise complete application for permit to drill or subsequent surface-disturbing operation is submitted.
3. Implement mitigation measures required by the Forest Service. Mitigation may include the relocation of proposed lease-related activities or other protective measures. The findings of the biological evaluation, analysis and consultation may result in restrictions to the operator's plans or even disallow use and occupancy to comply with the 1973 Endangered Species Act (as amended), threatened and endangered species regulations and Forest Service statutes and regulations.

If endangered, threatened, proposed, candidate or sensitive plant or animal species are discovered in the area; after any required biological evaluation has concluded, an evaluation will be conducted to assess the effect of ongoing and proposed activities. Based on the conclusion drawn in the evaluation, additional restrictions or prohibitions may be imposed to protect the species or their habitats.

Parcel Number

01-04-48, 01-04-49, 01-04-50, 01-04-51, 01-04-52, 01-04-53, 01-04-54,  
01-04-55, 01-04-56, 01-04-57, 01-04-58, 01-04-59, 01-04-60, 01-04-61,  
01-04-63, 01-04-64, 01-04-65, 01-04-67, 01-04-69, 01-04-70, 01-04-71,  
01-04-72, 01-04-73, 01-04-74, 01-04-75, 01-04-76, 01-04-77, 01-04-78

R1-FS-2820-18a

## CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

Try to locate activities and facilities away from the water's edge and outside the riparian areas, woody draws, wetlands, and floodplains. If necessary to locate facilities in these areas, then:

- Deposit no waste material (silt, sand, gravel, soil, slash, debris, chemical or other material) below high water lines, in riparian areas, in the areas immediately adjacent to riparian areas or in natural drainage ways (draws, land surface depressions or other areas where overland flow concentrates and flows directly into streams or lakes).
- Deposit no soil material in natural drainage ways.
- Locate the lower edge of disturbed or deposited soil banks outside the active floodplain.
- Stockpile no topsoil or any other disturbed soil in the active floodplain.
- Locate drilling mud pits outside riparian areas, wetlands and floodplains. If location is unavoidable in these areas, seal and dike all pits to prevent leakage or use containerized mud systems.

On the lands described below:

For the purpose of:

To protect the biological and hydrologic features of riparian areas, woody draws, wetlands, and floodplains. Refer to the Land and Resource Management Plan Grassland-wide Direction, Water, number 6 and Appendix D-2.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-48	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 1 PORTION OF LOT 3 2 PORTIONS OF S2NE
01-04-49	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 1 PORTIONS OF SENE, E2SE 3 PORTIONS OF W2SW 10 PORTIONS OF S2NE, N2NW 11 PORTIONS OF SWNW, W2SW, SESW
01-04-50	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 5 PORTIONS OF LOT 1 9 PORTIONS OF E2NE, SENW 32 PORTIONS OF S2S2
01-04-51	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 5 PORTIONS OF NWSW 8 PORTIONS OF W2NW, NWSW 9 PORTIONS OF SWNE, N2SE 17 PORTIONS OF NENE, NENW, S2N2

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-52	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 11 PORTIONS OF SENE
01-04-53	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 13 PORTIONS OF NESW, SWSW, NWSE 24 PORTIONS OF NE, W2NW, N2SW 25 PORTIONS OF NENE, NWNW 27 PORTIONS OF S2NW, SW 28 PORTIONS OF N2NW
01-04-54	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 14 PORTIONS OF NESW, N2SE
01-04-55	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 20 PORTIONS OF NWSE, S2SE 29 PORTIONS OF W2NE, S2NW, N2SW, SESW 30 PORTIONS OF E2
01-04-56	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 21 PORTIONS OF NWNE, E2W2, W2SE 22 PORTIONS OF N2NE, NENW, SWNW
01-04-57	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 21: PORTIONS OF W2SW
01-04-58	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 23 PORTIONS OF NENE, SWNW, NESW, NWSE, S2SE EXCL ROW sec. 26 PORTIONS OF NENE EXCL ROW, NESW, S2SW, W2SE
01-04-59	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 31 PORTIONS OF LOTS 1, 2, N2NE, SENE, E2SE 32 PORTIONS OF NE, NENW, S2NW, N2S2
01-04-60	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 33 PORTIONS OF SW, W2SE 34 PORTIONS OF S2NW
01-04-61	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 34 PORTIONS OF E2, NWNW, E2SW
01-04-63	T 137 N, R 101 W, 5 <sup>TH</sup> PM sec. 32 PORTIONS OF LOT 3
01-04-64	T 138 N, R 102 W, 5 <sup>TH</sup> PM sec. 8 PORTIONS OF LOTS 2, 3, N2NE
01-04-65	T 138 N, R 102 W, 5 <sup>TH</sup> PM sec. 12 PORTIONS OF N2S2, SWSE
01-04-66	T 139 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 LOTS 1, 2, 3, 4, 5, 6, 7, S2NE, SENW, E2SW, NWSE, S2SE
01-04-67	T 142 N, R 102 W, 5 <sup>TH</sup> PM sec. 32 PORTIONS OF N2NE, SWNE, NESW, N2SE, SESE

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-68	T 142 N, R 102 W, 5 <sup>TH</sup> PM sec. 32 PORTIONS OF SENE,NW,NWSW,S2SW,SWSE
01-04-69	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 5 PORTION LOT 1 OUTSIDE THEODORE ROOSEVELT NP,SW,W2SE
01-04-70	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 5 PORTIONS OF LOTS 2,3,4,SWNE,S2NW
01-04-71	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 PORTIONS OF LOTS 1,2,3,4,5,SENW,S2NE
01-04-72	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 PORTIONS OF LOTS 6,7,E2SW,SE
01-04-73	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 7 PORTIONS OF LOTS 1,2,E2NW
01-04-74	T 139 N, R 103 W, 5 <sup>TH</sup> PM sec. 4 LOTS 1,2,3,4,SENE,SW,NWSE,S2SE 5 LOTS 1,2,3,4,S2N2,S2
01-04-75	T 139 N, R 103 W, 5 <sup>TH</sup> PM sec. 21 PORTIONS OF NENE,S2NW,N2SW,SESW,NWSE,S2SE 22 PORTIONS OF NESW,S2SW,W2SE
01-04-76	T 139 N, R 103 W, 5 <sup>TH</sup> PM sec. 24 PORTIONS OF E2
01-04-77	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec. 1 PORTIONS OF S2 13 PORTIONS OF N2NE
01-04-78	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec. 12 PORTIONS OF N2

## CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

Surface occupancy and use is subject to operational constraints to maintain a landscape character that is no more than slightly altered. Noticeable deviations must remain visually subordinate to the landscape character being viewed.

Operational constraints may include utilizing topographic/vegetative screening, matching color tones of facilities with surrounding topographic features, orienting the well pad/facilities, redesigning production facilities to such scale that they are visually subordinate to the landscape, or placing facilities outside the moderate SIO area.

On the lands described below:

For the purpose of:

To maintain the Scenic Integrity Objective (SIO) for areas identified as moderate. Refer to the Land and Resource Management Plan Grassland-wide Direction, Scenery Management, number 1, and Appendix D-15 and D-28.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-48	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 1 LOT 3, SENW 2 S2NE
01-04-49	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 1 SENE, E2SE 3 SW
01-04-58	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 26 PORTIONS OF SENE EXCL ROW, E2SE
01-04-64	T 138 N, R 102 W, 5 <sup>TH</sup> PM sec. 8 NENE, S2NE, SWSE; PORTIONS OF NWNE, E2SE
01-04-65	T 138 N, R 102 W, 5 <sup>TH</sup> PM sec. 12 PORTIONS OF SWSW
01-04-66	T 139 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 LOTS 1, 2, 3, 4, 5, 6, 7, S2NE, SENW, E2SW, SE
01-04-67	T 142 N, R 102 W, 5 <sup>TH</sup> PM sec. 32 NENE; PORTIONS OF NWNE, NESE
01-04-68	T 142 N, R 102 W, 5 <sup>TH</sup> PM sec. 32 NW, NWSW, S2SW, SWSE; PORTIONS OF SENE
01-04-71	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 LOTS 2, 3, 4, 5, SENW, SWNE; PORTIONS OF LOT 1, SENE

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PAGE 1 OF 2

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-72	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 LOTS 6,7,E2SW,NWSE,S2SE; PORTIONS OF NESE
01-04-73	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 7 LOTS 1,2,E2NW
01-04-77	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec. 1 SESW,SE; PORTIONS OF NESW,SWSW 13 NENE; PORTIONS OF NWNE
01-04-78	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec. 12 NE; PORTIONS OF E2NW

## CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

Surface occupancy and use is subject to operational constraints to maintain a landscape character intact. Deviations may be present but must repeat the form, line, color, texture, and pattern common to the landscape character so completely and to such scale that they are not evident.

Operational constraints may include utilizing topographic/vegetative screening, matching color tones of facilities with surrounding topographic features, orienting the well pad/facilities, redesigning production facilities to such scale that they may not be evident, or placing facilities outside the high SIO area.

On the lands described below:

For the purpose of:

To maintain the Scenic Integrity Objective (SIO) of areas, identified as high. Refer to the Land and Resource Management Plan Grassland-wide Direction, Scenery Management, number 1, and Appendix D-15 and D-28.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-63	T 137 N, R 101 W, 5 <sup>TH</sup> PM sec. 32 LOT 3
01-04-64	T 138 N, R 102 W, 5 <sup>TH</sup> PM sec. 8 LOTS 2,3; PORTIONS OF NWNE
01-04-65	T 138 N, R 102 W, 5 <sup>TH</sup> PM sec. 12 NWSW,E2SW,SE; PORTIONS OF SWSW
01-04-69	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 5 PORTION OF LOT 1 AND SENE OUTSIDE THEODORE ROOSEVELT NP, N2SW,SESW,SE; PORTIONS OF SWSW
01-04-70	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 5 LOTS 2,3,4,SWNE,S2NW
01-04-71	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 PORTIONS OF LOT 1,SENE
01-04-72	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 PORTIONS OF NESE
01-04-74	T 139 N, R 103 W, 5 <sup>TH</sup> PM sec. 4 LOTS 1,2,S2NE,NESW,S2SW,SE

R1-FS-CSU-3

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified by the contrary by the BLM, shall:

1. Contact the BLM to determine if a site-specific vertebrate paleontological inventory is required. If it is required, the operator must engage the services of a qualified paleontologist, acceptable to the BLM, to conduct the inventory. An acceptable inventory report is to be submitted to the BLM for review and approval at the time a surface-disturbing plan of operation is submitted.
2. Implement mitigation measures required by the BLM to preserve, avoid, or recover vertebrate paleontological resources. Mitigation may include relocation of proposed facilities or other protective measures. All costs associate with the inventory and mitigation will be born by the lessee or operator.
3. The lessee or operator shall immediately bring to the attention of the BLM any vertebrate paleontological resources discovered as a result of surface operations under this lease, and shall leave such discoveries intact until directed to proceed by the BLM.

On the lands described below:

For the purpose of:

To protect key paleontological resources from disturbance or mitigate the effects of disturbance to conserve scientific and interpretive values and the interests of the surface owner.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-66	T 139 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 LOTS 1,2,3,4,5,6,7,S2NE,SENW,E2SW,SE
01-04-68	T 142 N, R 102 W, 5 <sup>TH</sup> PM sec. 32 SENE,NW,NWSW,S2SW,SWSE

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## CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

- Operations may be modified or moved to minimize additional impacts on bighorn sheep habitat.
- Future roads to non-producing wells on private minerals under NFS lands would be obliterated and the disturbed areas reclaimed.
- Road construction and associated lease activities will be located to minimize loss of bighorn sheep habitat.
- Well locations will be located to avoid lambing areas, steep slopes (escape terrain) and known travel corridors.
- Whenever possible, access roads will be gated to prevent unnecessary human activity.

On the lands described below:

For the purpose of:

To provide quality forage, cover, escape terrain, and solitude for bighorn sheep. Refer to the Land and Resource Management Plan, Management MA 3.51B, Bighorn Sheep Habitat with Non-Federal Ownership, Standards and Guidelines, Minerals and Energy Resources, number 1, and Appendix D-22 and Addendum, p. 51.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-67	T 142 N, R 102 W, 5 <sup>TH</sup> PM sec. 32 N2NE,SWNE,NESE; PORTIONS OF NESW,NWSE,SESE
01-04-69	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 5 S2SW; PORTIONS OF N2SW,NWSE,SESE
01-04-72	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 LOT 7, SESW,S2SE; PORTIONS OF LOT 6, NESW,N2SE
01-04-73	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 7 LOTS 1,2,E2NW
01-04-77	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec. 1 SESW,S2SE; PORTIONS OF NWSE 13 NENE
01-04-78	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec. 12 NE; PORTIONS OF E2NW

R1-FS-CSU-5

## LEASE NOTICE

Lands contained in this lease are located in an inventoried road-less area subject to the rule entitled "Special Areas; Road-less Area Conservation Rule; Final Rule published in the Federal Register on January 12, 2001. Operations such as road construction or reconstruction may be prohibited by the Road-less Area Conservation Rule or subsequent modifications thereof.

On the lands described below:

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-65	T 138 N, R 102 W, 5 <sup>TH</sup> PM sec. 12 NWSW,E2SW,SE; PORTIONS OF SWSW
01-04-67	T 142 N, R 102 W, 5 <sup>TH</sup> PM sec. 32 SWNE,NESW,N2SE,SESE; PORTIONS OF NWNE

R1-FS-22b-Lease Notice

## NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

For the purpose of:

Surface occupancy and use is prohibited on slopes greater than 40 percent to protect soil resources from loss of productivity, prevent erosion on steep slopes, soil mass movement, and resultant sedimentation. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Soils, number 6, and Appendix D-3.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-48	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 2 PORTIONS OF S2NE
01-04-49	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 1 PORTIONS OF SENE, E2SE 3 PORTIONS OF SW 10 PORTIONS OF N2, N2SW, SWSW, SE 11 PORTIONS OF SWNW, W2SW, SESW
01-04-50	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 9 PORTIONS OF E2NE, SENW, E2SW, SWSE 15 PORTIONS OF NE, SWSW 32 PORTIONS OF S2S2
01-04-51	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 5 PORTIONS OF SWSW 8 PORTIONS OF W2NW, SW 9 PORTIONS OF SWNE, N2SE, SESE 17 PORTIONS OF N2
01-04-52	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 11 PORTIONS OF SENE
01-04-53	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 13 PORTIONS OF NESW, S2SW, W2SE 24 PORTIONS OF N2, N2SW 25 PORTIONS OF NENE 27 PORTIONS OF S2NW, SW 28 PORTIONS OF N2NW
01-04-54	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 14 PORTIONS OF N2S2, SWSW sec. 15 PORTIONS OF NENW, N2SE, SESE
01-04-55	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 20 PORTIONS OF S2 29 PORTIONS OF N2NE, SWNE, NW, NWSW 30 PORTIONS OF NE, N2SE, SWSE

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<u>Parcel Number</u>	<u>Legal Description</u>
01-04-56	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 21 PORTIONS OF W2NE,N2NW,SEW,E2SW,W2SE 22 PORTIONS OF NENE,N2NW,SWNW
01-04-57	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 21 PORTIONS OF W2SW
01-04-58	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 23 PORTIONS OF NENE,NESW,W2SE EXCL RR ROW 26 PORTIONS OF E2NE EXCL ROW,SEW,NESW,S2SW,SE
01-04-59	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 31 PORTIONS OF LOT 2,NWNE,NENW,SESE 32 PORTIONS OF NENE,NWNW,S2N2,N2S2
01-04-60	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 33 PORTIONS OF SW,N2SE,SWSE 34 PORTIONS OF S2NW,NWSW
01-04-61	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 34 PORTIONS OF NE,N2NW,E2SW,S2SE
01-04-64	T 138 N, R 102 W, 5 <sup>TH</sup> PM sec. 8 PORTIONS OF NE,NESE,S2SE
01-04-65	T 138 N, R 102 W, 5 <sup>TH</sup> PM sec. 12 PORTIONS OF S2
01-04-66	T 139 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 PORTIONS OF LOTS 1,2,3,7,S2NE,SESW,SE
01-04-67	T 142 N, R 102 W, 5 <sup>TH</sup> PM sec. 32 PORTIONS NENE,NESW,N2SE,SESE
01-04-68	T 142 N, R 102 W, 5 <sup>TH</sup> PM sec. 32 PORTIONS OF SENE,NW,SESW,SWSE
01-04-69	T 143 N, R 102 W , 5 <sup>TH</sup> PM sec. 5 PORTION OF LOT 1 OUTSIDE THE BOUNDARY OF THE THEODORE ROOSEVELT NP,SW,S2SE
01-04-70	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 5 PORTIONS OF LOTS 3,4,SWNE,S2NW
01-04-71	T 143N, R 102 W, 5 <sup>TH</sup> PM sec. 6 PORTIONS OF LOTS 1,2,3,4,5,S2NE
01-04-72	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 PORTIONS OF LOTS 6,7,SESW,NESE,S2SE
01-04-73	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 7 PORTIONS OF LOTS 1,2,E2NW

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-74	T 139 N, R 103 W, 5 <sup>TH</sup> PM sec. 4 PORTIONS OF LOTS 1, 2, S2NE, NESW, SWSW, NESE, S2SE 5 PORTIONS OF SWNE, S2NW, NESW, W2SW, NWSE, SESE
01-04-75	T 139 N, R 103 W, 5 <sup>TH</sup> PM sec. 21 PORTIONS OF NENW, SE 22 PORTIONS OF NESW, S2SW, NESE, SWSE
01-04-76	T 139 N, R 103 W, 5 <sup>TH</sup> PM sec. 24 PORTIONS OF E2
01-04-77	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec. 1 PORTIONS OF E2SW, SE 13 PORTIONS OF NENE
01-04-78	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec. 12 PORTIONS OF NE, SENW

## NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

For the purpose of:

No surface occupancy or use is allowed within 0.5 mile (line of sight) of golden eagle, merlin, and ferruginous hawk nests; to prevent reduced reproductive success and adverse habitat loss. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 55, and Appendix D-11.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-50	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 32 S2SW; PORTIONS OF S2SE
01-04-53	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 25 PORTIONS OF NENE 28 PORTIONS OF NENW
01-04-55	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 20 SE, NESW; PORTIONS OF W2SW, SESW 29 PORTIONS OF N2NE, NENW
01-04-56	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 21 S2NE, SENW, NESW, W2SE; PORTIONS OF N2N2, SWNW, SESW 22 SWNW; PORTIONS OF SENE, NWNE, N2NW
01-04-57	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 21 NWSW; PORTIONS OF SWSW
01-04-59	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 31 LOTS 1,2, NENW, SESE; PORTIONS OF NWNE, NESE 32 PORTIONS OF N2SW
01-04-60	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 33 PORTIONS OF SWSW
01-04-65	T 138 N, R 102 W, 5 <sup>TH</sup> PM sec. 12 SE; PORTIONS OF E2SW
01-04-66	T 139 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 LOTS 1,2,3, SENE; PORTIONS OF LOTS 4,5, SWNE, SENW, E2SE

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<u>Parcel Number</u>	<u>Legal Description</u>
01-04-74	T 139 N, R 103 W, 5 <sup>TH</sup> PM sec. 5 PORTIONS OF SESW, SWSE
01-04-75	T 139 N, R 103 W, 5 <sup>TH</sup> PM sec. 21 NWNE, N2NW; PORTIONS OF NENE, SWNE, S2NW

## NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

For the purpose of:

No surface occupancy or use is allowed within 0.25 mile (line of sight) of prairie falcon and burrowing owl nests to prevent reduced reproductive success and adverse habitat loss. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 55, and Appendix D-13.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-49	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 11 PORTIONS OF SESW
01-04-50	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 32 PORTIONS OF S2SW
01-04-53	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 24 PORTIONS OF N2SW 25 PORTIONS OF NWNW
01-04-54	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 14 PORTIONS OF N2SE
01-04-66	T 139 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 PORTIONS OF LOTS 2,3

## NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

For the purpose of:

No surface occupancy or use is allowed within 0.25 mile (line of sight) of a sharp-tailed grouse and sage grouse display ground to prevent abandonment of display grounds, reduced reproductive success, and adverse habitat loss. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 13, and Appendix D-14.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-53	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 24 SWNW,NWSW; PORTIONS OF SENW,NESW
01-04-66	T 139 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 PORTIONS OF LOTS 5,6
01-04-75	T 139 N, R 103 W, 5 <sup>TH</sup> PM sec. 21 PORTIONS OF S2NE,N2SE

## NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

For the purpose of:

No surface occupancy or use is allowed within ¼ mile each side of the Little Missouri River, to maintain the recreation opportunities and settings within the river corridor. Refer to the Land and Resource Management Plan, Management Area Direction MA 4.22, River and Travel Corridors, Standards and Guidelines, number 2, and Appendix D-25.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-63	T 137 N, R 101 W, 5 <sup>TH</sup> PM sec. 32 LOT 3
01-04-64	T 138 N, R 102 W, 5 <sup>TH</sup> PM sec. 8 LOTS 2,3; PORTIONS OF NWNE
01-04-69	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 5 PORTIONS OF SESE

## NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

For the purpose of:

No surface occupancy or use is allowed within bighorn sheep habitat MA 3.51, to achieve optimum habitat suitability for bighorn sheep. Refer to the Land and Resource Management Plan, Management Area MA 3.51 Bighorn Sheep Habitat, Standards and Guidelines, Minerals and Energy Resources, number 1, and Appendix D-23.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-65	T 138 N, R 102 W, 5 <sup>TH</sup> PM sec. 12 S2
01-04-75	T 139 N, R 103 W, 5 <sup>TH</sup> PM sec. 21 NENE; PORTIONS OF NWNE, N2NW, SENE 22 PORTIONS OF N2SW, W2SE

## NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

For the purpose of:

No surface occupancy or use is allowed within boundaries of backcountry non-motorized management areas to retain recreation opportunities in a natural-appearing landscape. Refer to the Land and Resource Management Plan, Management Area Direction MA 1.31 Backcountry Recreation Non-motorized, Standards and Guidelines, Minerals and Energy Resources, number 2, and Appendix D-17.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-65	T 138 N, R 102 W, 5 <sup>TH</sup> PM sec. 12 E2SW,NWSW,SE; PORTIONS OF SWSW

## NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

For the purpose of:

No surface occupancy or use is allowed within the boundaries of Aspen Stand, The Bog, Grand River Sand Dunes, Black Butte, Black Cottonwood, Riparian Pools, and Roundtop Butte Special Interest Area; to protect the botanical resources. Refer to the Land and Resource Management Plan, Management Area MA 2.1, Special Interest Areas, Standards and Guidelines, Minerals and Energy Resources, number 1, and Appendix D-18.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-65	T 138 N, R 102 W, 5 <sup>TH</sup> PM sec. 12 E2SW,SE; PORTIONS OF W2SW

## NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

For the purpose of:

No surface occupancy or use is allowed within the boundaries of Battle of the Badlands, Custer Trail/Davis Creek, and Square Buttes Special Interest Areas to protect the heritage resources. Refer to the Land and Resource Management Plan, Management Area Direction MA 2.1 Special Interest Areas, Standards and Guidelines, Minerals and Energy Resources, number 1, and Appendix D-16.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-74	T 139 N, R 103 W, 5 <sup>TH</sup> PM sec. 4 LOTS 1,2,S2NE,NESW,S2SW,SE

## NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

For the purpose of:

No surface occupancy or use is allowed within developed recreation sites to maintain the recreation opportunities and settings within developed recreation sites. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Recreation, Developed Recreation Sites, number 11, and Appendix D-4.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-77	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec. 1 PORTIONS OF E2SE

R1-FS-NSO-10

## TIMING

No surface use is allowed during the following time period(s). This stipulation applies to drilling, testing, new construction projects, and does not apply to operation and maintenance of production facilities.

March 1 - June 15

Within 1 mile (line of sight) of active sharp-tailed grouse display grounds on the lands described below:

For the purpose of:

To prevent abandonment of display grounds, reduced reproductive success. Refer to the Land and Resource Management Plan Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 15, Appendix D-5.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-53	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 13 NESW,S2SW,W2SE 24 N2N2,S2NE; PORTIONS OF SENW,NESW 25 NWNW; PORTIONS OF NENE
01-04-54	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 14 PORTIONS OF N2SE
01-04-58	T 149 N, R 97 W, 5 <sup>TH</sup> PM sec. 23 NENE,SESE EXCL ROW; PORTIONS OF S2NW,NESW,W2SE EXCL ROW 26 PORTIONS OF E2NE EXCL ROW
01-04-63	T 137 N, R 101 W, 5 <sup>TH</sup> PM sec. 32 PORTIONS OF LOT 3
01-04-64	T 138 N, R 102 W, 5 <sup>TH</sup> PM sec. 8 LOTS 2,3,NESE,S2SE; PORTIONS OF S2NE
01-04-66	T 139 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 LOTS 2,3,4,7,SWNE,SENW,E2SW,W2SE; PORTIONS OF LOTS 1,5,6,SENE,E2SE
01-04-75	T 139 N, R 103 W, 5 <sup>TH</sup> PM sec. 21 PORTIONS OF ALL 22 SW,NWSE; PORTIONS OF SWSE

R1-FS-Timing-1

## TIMING

No surface use is allowed during the following time period(s). This stipulation applies to drilling, testing, new construction projects, and does not apply to operation and maintenance of production facilities.

April 1 through June 15

Within 1 mile (line of sight) of lambing areas on the lands described below:

For the purpose of:

To safeguard lamb survival and prevent bighorn sheep displacement from lambing areas. Refer to the Land and Resource Management Plan Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 12, Appendix D-7.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-65	T 138 N, R 102 W, 5 <sup>TH</sup> PM sec. 12 S2
01-04-66	T 139 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 LOTS 5,6,7, SENW, E2SW, W2SE; PORTIONS OF LOTS 3,4, S2NE, E2SE
01-04-67	T 142 N, R 102 W, 5 <sup>TH</sup> PM sec. 32 N2NE, SWNE
01-04-68	T 142 N, R 102 W, 5 <sup>TH</sup> PM sec. 32 NW; PORTIONS OF SENE

## TIMING

No surface use is allowed during the following time period(s).

October 16 - June 14

This stipulation applies to drilling, testing, new construction projects, and does not apply to operation and maintenance of production facilities. Limit on-lease activities (operation and maintenance of facilities) to the period from 10 am to 4pm except in emergency situations.

For the purpose of:

To provide quality forage, cover, escape terrain and solitude for bighorn sheep. Refer to the Land and Resource Management Plan MA 3.51B, Bighorn Sheep Habitat with nonfederal ownership, Standards and Guidelines, Minerals and Energy Resources, number 1, Appendix D-22 and Addendum, p. 51.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-67	T 142 N, R 102 W, 5 <sup>TH</sup> PM sec. 32 N2NE, SWNE, NESE; PORTIONS OF NESW, NWSE, SESE
01-04-69	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 5 S2SW, SWSE; PORTIONS OF N2SW, NWSE, SESE
01-04-72	T 143 N R 102 W, 5 <sup>TH</sup> PM sec. 6 LOT 7, SESW, S2SE; PORTIONS OF LOT 6, NESW, N2SE
01-04-73	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 7 LOTS 1, 2, E2NW
01-04-77	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec. 1 S2SW, PORTIONS OF SESW, NWSE 13 PORTIONS OF NENE
01-04-78	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec. 12 NE; PORTIONS OF E2NW

R1-FS-Timing-3

## TIMING

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

May 1 through December 1

Surface use is prohibited within 0.25 miles of the established boundaries of Burning Coal Vein, Buffalo Gap, Sather Lake, CCC, Campgrounds and Summit, Whitetail Picnic Areas, and the 6 Maa Daa Hey Trail overnight camps; Wannagan, Roosevelt, Elkhorn, Magpie, Beicegel and Bennett.

On the lands described below:

For the purpose of:

To maintain the recreation opportunities and settings within the area surrounding campgrounds, picnic areas, and recreation trail overnights. Refer to the Land and Resource Management Plan Grassland-wide Direction, Minerals and Energy Resources, number 13, Appendix D-4.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-72	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 6 PORTIONS OF LOTS 6,7
01-04-73	T 143 N, R 102 W, 5 <sup>TH</sup> PM sec. 7 PORTIONS OF LOT 1
01-04-77	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec. 1 PORTIONS OF SE
01-04-78	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec. 12 PORTIONS OF N2NE

## TIMING

No surface use is allowed during the following time period(s). This stipulation applies to drilling, testing, new construction projects, and does not apply to operation and maintenance of production facilities.

January 1 through March 31

On identified pronghorn antelope winter rangelands described below:

For the purpose of:

To maintain the health, vigor, and physical condition of wintering pronghorn by minimizing disturbance on winter range during the critical period. Refer to the Land and Resource Management Plan Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 11, Appendix D-9.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
01-04-75	T 139 N, R 103 W, 5 <sup>TH</sup> PM sec. 21 ALL