



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
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Billings, Montana 59107-6800
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In Reply To:

MTM 94876
(922.TV)

September 26, 2005

NOTICE

AMENDMENT TO OCTOBER 12, 2005, COMPETITIVE OIL & GAS LEASE SALE

1. The acreage for Parcel 10-05-59 is amended to show the number of acres excluded for the Railroad Right-of-way.

10-05-59

T. 29 N, R. 56 E, PMM PD
Sec. 24: SWSE excl. 3.23 acres in RR ROW MTGF 065495 (36.77 ac.)
Roosevelt County 36.77 AC

2. The legal description on the Controlled Surface Use (CSU-2) stipulation for Parcel 10-05-65 is amended as follows:

10-05-65

T. 9 S, R. 25 E, PMM
Sec. 22: All
26: All
27: All
Carbon County 1920.00 AC

3. The legal description on the No Surface Occupancy (R2-FS-2820-14-1) for Parcel 10-05-110 is amended as follows:

10-05-110

T. 11 S. R. 1 E, BHM
Sec. 5: Lot 1, S2NE
Fall River County 159.74 AC

4. The following stipulations are added to Parcel **10-05-112**:

R2-FS-2820-13
R2-FS-2820-15-1 (Timing Limitation for Sharp-tailed Grouse
Display Grounds)
R2-FS-2820-16-1 (Controlled Surface Use - Fossils)

AMENDED AND ADDITIONAL STIPULATIONS ARE ATTACHED.

STATISTICS

Total Parcels: 115

Total Acreages: 68,089.12

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:

T. 9 S, R. 25 E, PMM, MT
sec. 22: All
26: All
27: All

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.)

CSU

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 a permit/operation 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 a permit/operation plan approved by the Secretary of the Interior.

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

District Ranger, Fall River Ranger District
Buffalo Gap National Grassland
PO Box 732, 1801 Hwy 18 Truck Bypass
Hot Springs, SD 57747-0732
(605) 745-4107

who is the authorized representative of the Secretary of Agriculture.

NOTICE

CULTURAL AND PALEONTOLOGICAL 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. 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 paleontological 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.

ENDANGERED OR THREATENED SPECIES - The FS 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 FS 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 resource specialist approved by the FS. An acceptable report must be provided to the FS identifying the anticipated effects of a proposed action on endangered or threatened species or their habitats.

NO SURFACE OCCUPANCY STIPULATION

Sharp-tailed Grouse Display Grounds

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

(No surface occupancy or use is allowed within .25 mile (line of sight) of a sharp-tailed grouse display ground.)

T. 11 S, R. 1 E, BHM
Sec. 5: Lot 1, S2NE

On portions (or all, whichever is applicable) of the lands as shown on the attached map, Exhibit A.

For the purpose of:

To prevent abandonment of display grounds, reduced reproductive success, and adverse habitat loss.

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.)

USDA Forest Service

R2-FS-2820-14-1

10-05-110

TIMING LIMITATION STIPULATION

Sharp-tailed Grouse Display Grounds

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

Surface use is prohibited from March 1 through June 15 within 1 mile (line of sight) of a sharp-tailed grouse display ground.

On the lands described below:

T. 11 S, R. 1 E, BHM
Sec. 9: NENW, W2W2

On portions (or all, whichever is applicable) of the lands as shown on the attached map, Exhibit A.

For the purpose of:

To prevent abandonment of display grounds and reduced reproductive success.

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.)

USDA Forest Service

R2-FS-2820-15-1

10-05-112

CONTROLLED SURFACE USE STIPULATION

Fossils

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 to the contrary by the Forest Service, shall:

- Contact the Forest Service to determine if a site-specific vertebrate paleontological 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.
- Implement mitigation measures required by the Forest Service and Bureau of Land Management to preserve or avoid destruction of vertebrate paleontological resources. Mitigation may include relocation of proposed facilities or other protective measures.
- The lessee or operator shall 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.

On the lands described below:

T. 11 S, R. 1 E, BHM
Sec. 9: W2NE, NW, S2

On portions (or all, whichever is applicable) of the lands as shown on the attached map, Exhibit A.

For the purpose of:

To protect fossils and immediate environment of the site, including inherent scientific, natural historic, interpretive, educational, and recreational values for the area potentially impacted.

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.)