

Exhibit B
Right-of-Way Authorization WAOR 35492
Glen Bundy Water Pipeline
Stipulations

By accepting a grant, you agree to comply with and be bound by the following terms and conditions. During operation, maintenance, and termination of the project you must:

1. This grant is subject to the provisions, limitations, and conditions of Title V, P. L. 94-579, Act of October 21, 1976, 90 Stat. 2776;
2. Pay monitoring fees and rent described in 43 CFR Sec. 2805.16 and Sec. 2806.10;
3. Comply with all existing and subsequently enacted, issued, or amended Federal laws and regulations applicable to the authorized use;
4. There is, reserved to the Secretary of the Interior, or his lawful delegate, the right to grant additional right-of-way or permits for compatible uses on, over, under, or adjacent to the land involved in this grant;
5. Rebuild and repair roads, fences, and established trails destroyed or damaged by the project and or use by row holder;
6. Do everything reasonable to prevent and suppress wildfires on or in the immediate vicinity of the right-of-way area;
7. Not discriminate against any employee or applicant for employment during any phase of the project because of race, creed, color, sex, or national origin. You must also require subcontractors to not discriminate;
8. Assume full liability if third parties are injured or damages occur to property on or near the right-of-way (see 43 CFR Sec. 2807.12 of this part);
9. The Authorized Officer, or his representative, may at any time inspect the onsite construction, maintenance, and operation of Holder's project. Officials of State and other Federal agencies may also inspect such activities if necessary to the performance of official duties relating to the project. The right to inspect includes the right to use private roads belonging to Holder in order to reach the site;
10. Holder, at least fifteen (15) days prior to start of construction, reconstruction, or any surface disturbing activity shall notify the Authorized Officer of the intent to proceed with such work, the date it is to commence, and the delegated representative of Holder. Such delegated representative is the person authorized by Holder to carry out the terms and conditions of the grant and act on behalf of Holder. The notice of the delegated representative shall include a current mailing address and telephone number;

11. Holder shall remove and dispose of all construction, operation, or maintenance-generated waste in a manner consistent with federal, State, and local laws. Waste means all discarded matter, including, but not limited to human waste, trash, garbage, refuse, containers, unused products, and equipment;
12. Restore, re-vegetate, and curtail erosion or conduct any other rehabilitation measure BLM determines necessary;
13. Control or prevent damage to: Scenic, aesthetic, cultural, and environmental values, including fish and wildlife habitat; Public and private property; and Public health and safety;
14. Ensure that you operate, maintain, and terminate the facilities on the lands in the right-of-way in a manner consistent with the grant;
15. Immediately notify all Federal, state, tribal, and local agencies of any release or discharge of hazardous material reportable to such entity under applicable law. You must also notify BLM at the same time, and send BLM a copy of any written notification you prepared;
16. Not dispose of or store hazardous material on your right-of-way, except as provided by the terms, conditions, and stipulations of your grant;
17. Control and remove any release or discharge of hazardous material on or near the right-of-way arising in connection with your use and occupancy of the right-of-way, whether or not the release or discharge is authorized under the grant. You must also remediate and restore lands and resources affected by the release or discharge to BLM's satisfaction and to the satisfaction of any other Federal, state, tribal, or local agency having jurisdiction over the land, resource, or hazardous material;
18. You are required to contact the Authorized officer in the event of a name change or address change;
19. Non-use of this right-of-way for five (5) consecutive years shall be deemed abandonment, and the grant shall be terminated;
20. Holder shall apply for amendment of this right-of-way grant at any time additional land, equipment, and/or new uses are proposed which are beyond the scope of the rights herein granted;

21. Cultural Values

If subsurface cultural resources are unearthed during operations, activity in the vicinity of the cultural resource will cease and a BLM representative will be notified immediately to assess the significance of the resource. Pursuant to 43 C.F.R. 10.4 the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, the project leader/operator/permittee/etc. must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures that are made by the authorized officer (BLM).

Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.

The project leader/operator/permittee/etc. is responsible for informing all persons associated with this project that they will be subject to prosecution for knowingly disturbing Native American Indian shrines, historic and prehistoric archaeology sites, or for collecting artifacts of any kind, including historic items and/or arrowheads from Federal lands pursuant to the 1906 American Antiquities Act (P.L. 59-209; 34 Stat. 225; 16 U.S.C. 432, 433), the Archaeological Resources Protection Act of 1979 (P.L. 96-95; 93 Stat. 721; 16 U.S.C. 470ee as amended), and/or other federal laws.

22. Weeds

The Holder shall be responsible for weed control of all invasive/noxious weed species within the right-of-way. The Holder is responsible for consultation with the Authorized Officer and/or local authorities for acceptable weed control methods, and shall comply with the following:

Use of pesticides shall comply with all applicable Federal and State laws. Pesticides shall be used only in accordance with their registered uses within limitations imposed by the Secretary of the Interior. Prior to the use of the pesticides, the Holder shall obtain from the Authorized Officer, written approval of a Pesticide Use Proposal Plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, locations of storage and

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disposal of containers, and any other information deemed necessary by the Authorized Officer.

Applicator(s) of chemicals used must have completed the pesticide certification training and have a current up to date Certified Pesticide Applicator's License.

Pesticide Application Records for the areas and acres treated must be submitted to the BLM Border Field Office each year. This includes the following:

- Brand or Product name
- EPA registration number
- Total amount applied (use rate #A.I./acre)
- Date of application
- Location of application
- Size of area treated
- Method of treatment (air/ground)
- Name of applicator
- Certification number
- Amount of surfactants or dyes used in spraying operation

The record information must be recorded no later than 14 days following the pesticide application and must be maintained for ten years.