

**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P.O. Box 68
Kremmling, CO 80459**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-LLCON02000-2012-033-CX

PROJECT NAME: Silver Spur 3D Geophysical Survey

LEGAL DESCRIPTION: T. 8 N., R. 78 W., Sections 1-5, 8-17, 20-29, 32-36, 6th
P.M.

T. 7 N., R. 78 W., Sections 1-5, 6th P.M.

APPLICANT: Dawson Geophysical Company

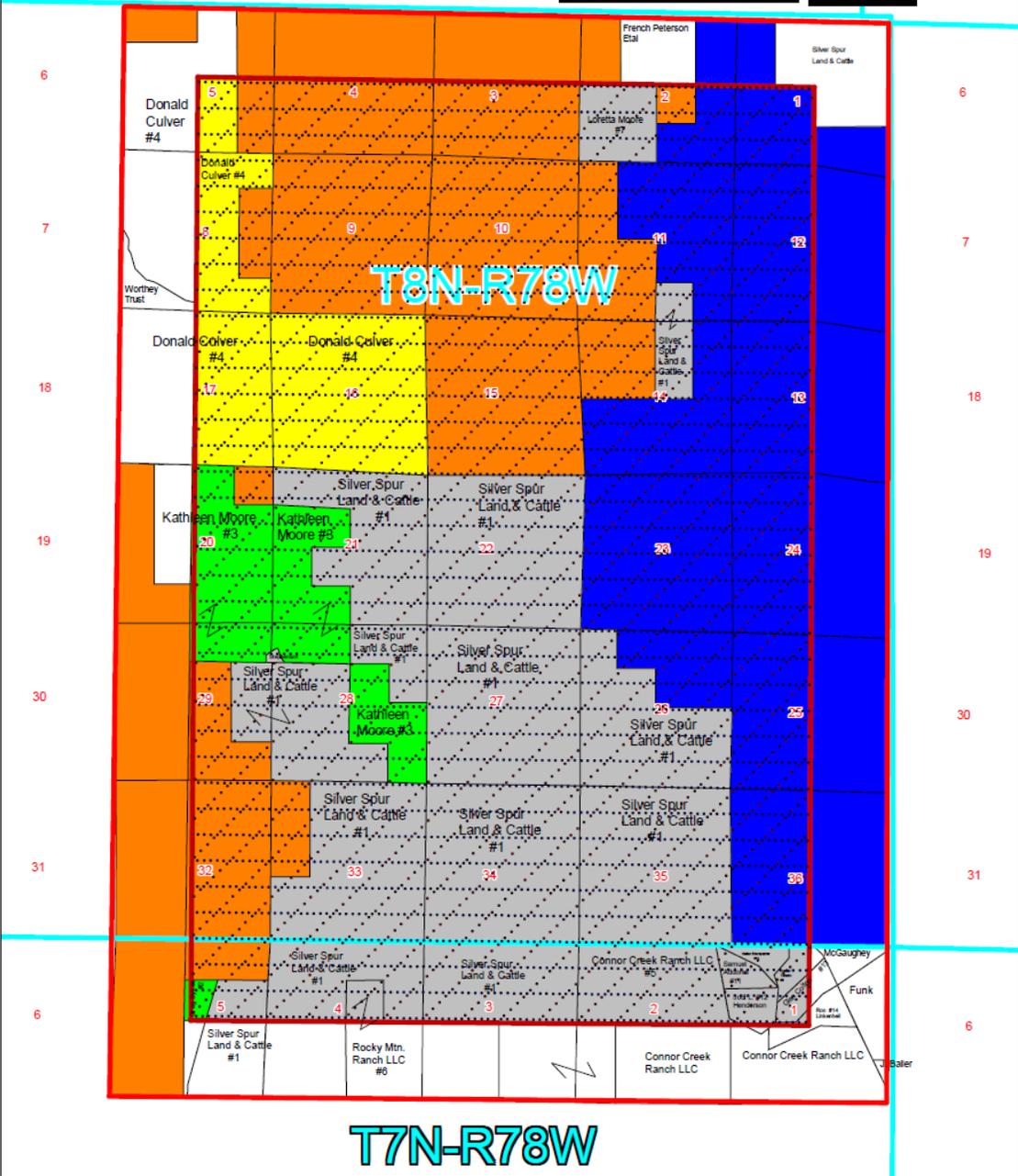
DESCRIPTION OF PROPOSED ACTION: Dawson Geophysical Company (Dawson) proposes to conduct an exploratory, three-dimensional (3D), geophysical survey of the Bush Draw area of Jackson County, Colorado on behalf of Wellstar Corporation. The total project area would encompass 15,401 acres, approximately 25%, or 3,910 acres, would be on BLM administered public lands; 23%, or 3,467 acres, would be on State lands; and 52%, or 8,024 acres, would be on private lands (see project map). Dawson proposes to commence work in October 2012, and the project would be completed by the end of November 2012, if not before. The survey would provide data to develop a 3D image of the geologic structure and stratigraphy underlying the project area to enhance current and future evaluations of potential mineral resources. The following is a summary of the proposed operations and schedule.

Phase 1, Surveying and Permitting, would take place in May and June 2013. A seven to fourteen person land survey crew would establish and place temporary pin flags at receiver and source points and identify travel routes between them using a high-accuracy GPS. This work would be completed on foot; vehicles bringing surveyors to and from the project area would remain on existing roads. Surveyors would be responsible for flagging stations to avoid all identified and/or apparent cultural, natural, or existing features of importance.

Phase 2, Vibration Operations, would take place in late October to November and would take approximately ten to twelve days to complete. All of the project would be conducted using vibroseis units. Dawson would use two sets of three buggy vibroseis units weighing 62,000 pounds to generate the sonic energy source. The vibroseis units are approximately 34 feet in length, with a width of 8.5 feet. The Vibrators would have

Silver Spur 3D
 Dawson Geophysical Company
 Surface Map
 Jackson County, CO
 6-14-2012
 Job: 13512

- Permitted
- Permitted w/ conditions
- Contacted
- No Permit
- BLM
- State



all terrain tires and would be used to cover all types of terrain within the 3D area. Surface disturbance from each vibrator would typically consist of two, 3-foot wide tracks from the floatation tire-equipped 10 foot wide buggy. Where possible, the vibrator buggy would proceed from one source location to the next with a single pass per source line. Vibrator buggies would travel in a staggered fashion along each seismic line and would use existing roads and trails where possible to access the next seismic line and to help minimize surface disturbance.

Phase 3, Recording, would take place in conjunction with the vibroseis operations. Recording equipment would be transported to the field and to staging areas by truck using existing roads and trails. The recording of seismic information would involve a total of approximately 15 parallel lines of receiver (geophone) stations laid out in an east-west orientation crossing the BLM, private, and/or state parcels at any given time. The parallel lines would ideally be spaced at approximately 880 feet from each other. A total of 12 lines of 144 stations (6 receiver geophones per station) would be used at a time for recording the seismic data.

The proposed ground-vibration source lines are mostly positioned in a Southwest to Northeast array run at a 45 degree angle diagonally to the receiver lines within the accessible portions of the project area. The source lines would ideally run parallel at 900 to 1,000 feet apart.

Phase 4, Clean-up and Completion, would proceed concurrently with data acquisition. All pin flags, flagging, and other “trash” would be gathered daily as the field groups and crew members complete data-acquisition portions of the project. The “trash” would be collected at points on roads or trails and transported by vehicle to staging areas where personnel would organize materials, handle equipment, and dispose of used/unusable materials. This task would be completed within about five days after conclusion of the data acquisition.

The standard terms and conditions included in BLM H-3150-1, Onshore Oil and Gas Geophysical Exploration Surface Management Requirements, are incorporated as part of the Proposed Action and would be followed (see attachment #2).

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: II, B.1, Page 5

Decision Language: Objective is “(t)o maximize the availability of the federal mineral estate for mineral exploration and development.”

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 11, Appendix 1.5, Number: (B) (6) “*Approval of Notices of Intent to conduct geophysical exploration of oil, gas, or geothermal, pursuant to 43 CFR 3150 or 3250, when no temporary or new road construction is proposed.*” None of the following extraordinary circumstances in 516 DM 2, Appendix 2, apply.

Extraordinary Circumstances	Yes	No
2.1 Have significant impacts on public health or safety		X
2.2 Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		X
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].		X
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
2.7 Have significant impacts on properties listed, or eligible for listing, on the National Register of historic Places as determined by either the bureau or office.		X
2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X
2.9 Violate a Federal Law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		X
2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and		X

Executive Order 13112).		
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INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Review Completed
Kelly Hodgson	Natural Resource Specialist	Minerals	7/27/12
Megan McGuire	Wildlife Biologist	T&E	8/2/12
Paula Belcher	Hydrologist	Soil, Water, Air	8/2/2012
Bill Wyatt	Archaeologist	Cultural and Tribal Consultation	8/18/2012

REMARKS:

Cultural Resources: For this undertaking all eligible sites for inclusion into the National Register of Historic Places (NRHP) are to be avoided by 100 feet from the site boundary. If an eligible site, both prehistoric and historic contain any structures they would be avoided by 500 feet from the site boundary.

Areas for avoidance on private lands included all lands recognized by the BLM as high archaeological sensitivity areas and all historic structures identified on the GLO plats by 500 feet. A total of five historic structures were identified on private land for avoidance.

The Class III inventory identified, recorded, and evaluated 36 new prehistoric and historic cultural resource sites 5JA736.5 to 5JA736.7, 5JA1823.2, and 5JA2301 to 5JA2332. Of the newly recorded sites, a total of thirteen prehistoric sites (5JA2301, 5JA2304, 5JA2306 to 5JA2308, 5JA2312, 5JA2318 to 5JA2321, 5JA2323 to 5JA2325) are determined to be eligible under 36 CFR60.4(d) to the NRHP and would be avoided. Of the thirteen significant sites, 10 contain stone features and three do not. Twenty-three of the newly recorded sites, 5JA736.5 to 5JA736.7, 5JA1823.2, 5JA2302, 5JA2303, 5JA2305, 5JA2309 to 5JA2311, 5JA2313 to 5JA2317, 5JA2322, 5JA32326.1, 5JA2327.1, 5JA2328.1, 5JA2329.1, 5JA2330.1, 5JA2331.1, and 5JA2332.1 are not eligible to the NRHP. One previously recorded site, 5JA32, is determined to be significant and would be avoided. Three previously recorded sites, 5JA163, 5JA409, and 5JA1899, have been determined not to be significant, therefore avoidance is not necessary. A total of 31 newly recorded isolated finds were recorded. None of the isolated finds are eligible to the NRHP therefore avoidance is not necessary.

All eligible sites are to be avoided and would be monitored by the permitted archaeologist to ensure avoidance.

Tribal Consultation: Tribal consultation was initiated on June 7, 2012, and to date no American Indian Tribe has identified any area of traditional cultural concern.

Soil, Water, Air: In riparian areas along perennial streams and intermittent draws, willows would need to be avoided by vehicle traffic and saturated soils would not be driven if ruts are created. The BLM has provided the survey crew (as of June 11, 2012) with shape files showing wells, springs, and livestock ponds. It would be the proponent's responsibility to provide adequate buffers to existing water sources in the area, including private sources not included in the shape files.

Wildlife and BLM Sensitive species: To avoid impacts to nesting Greater sage-grouse no operations would occur between March 1 and June 30. To avoid impacts to wintering big game and sage-grouse, no operations would occur between December 1 and March 15.

Threatened and Endangered Species: The Proposed project occurs within potential habitat for the endangered plant *Phacelia formosula*. A clearance survey was conducted by BLM personnel, which indicated no plants are present within the project area. The report was submitted to the Fish and Wildlife Service and filed at the Kremmling Field Office.

NAME OF PREPARER: Kelly Elliott

NAME OF ENVIRONMENTAL COORDINATOR: Susan Cassel

DATE: 9/17/12

ATTACHMENTS:

- 1). Stipulations
- 2). H-3150-1 – Onshore Oil and Gas Geophysical Exploration Surface Management Requirements (Public): BLM Standard Terms and Conditions

DECISION AND RATIONALE: I have reviewed this CER and have decided to implement the proposed action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an extraordinary circumstance and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Susan Cassel

DATE SIGNED: 9/20/12

**U.S. Department of the Interior
Bureau of Land Management
KREMMLING FIELD OFFICE
P O BOX 68
KREMMLING, CO 80459**

DECISION RECORD

PROJECT NAME: Silver Spur 3D Geophysical Survey

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-CO-2012-0033-CX

DECISION

It is my decision to implement the Proposed Action, as stipulated in DOI-BLM-CO-2012-0033 CX, authorizing an exploratory, three-dimensional (3D), geophysical survey of the Bush Draw area of Jackson County, Colorado on behalf of Wellstar Corporation

Mitigation Measures: None

COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN

This decision is in compliance with the Federal Land Management and Policy Act, the Endangered Species Act, and the National Historic Preservation Act. It is also in conformance with the December 19, 1984 Kremmling Resource Management Plan (RMP), updated in February 1999.

RATIONALE

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11, Appendix 1.5, Number: (B) (6). This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

ADMINISTRATIVE REMEDIES

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional

Solicitor, Rocky Mountain Region, U.S. Department of Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215.

The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on BLM's Kremmling Field Office internet website.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Susan Cassel
for Field Manager

DATE SIGNED: 9/20/12

STIPULATIONS

Cultural: For this undertaking all eligible sites for inclusion into the National Register of Historic Places (NRHP) are to be avoided by 100 feet from the site boundary. If an eligible site, both prehistoric and historic contain any structures they will be avoided by 500 feet from the site boundary.

Areas for avoidance on private lands included all lands recognized by the BLM as high archaeological sensitivity areas and all historic structures identified on the GLO plats by 500 feet. A total of five historic structures were identified on private land for avoidance.

All eligible sites are to be avoided and would be monitored by the permitted archaeologist to ensure avoidance.

Wildlife & BLM Sensitive Species:

In order to avoid impacts to nesting Greater sage-grouse no operations would occur between March 1 (or when breeding sites start to become occupied—usually as snow melts off the sites) and June 30. To avoid impacts to wintering big game and sage-grouse, no operations would occur between December 1 and March 15.

Livestock Grazing:

Any fences that may need to be cut must be repaired by proponent. Any gates used must be closed if found closed or left open if found open.

Vegetation:

If native vegetation is removed during the Proposed Action due to a ground disturbing activity (for example stuck vehicles, impacts to vegetation or other unforeseen event), Dawson is required to reseed the area with an approved BLM seed mix. Dawson shall contact the Kremmling Field Office to obtain the proposed seed mix.

Water:

It is the proponent's responsibility to provide adequate buffers to existing water sources in the area, including private wells in the area. BLM water sources were provided to the proponent.

Attachment 2

From H3150-1 (Rel. 3-289, 06/07/94)

Illustration 16 (as revised by Rel. 3-330, 01/09/07)

H-3150-1- ONSHORE OIL AND GAS GEOPHYSICAL EXPLORATION SURFACE MANAGEMENT REQUIREMENTS (PUBLIC)

Bureau of Land Management (BLM) Standard Terms and Conditions

1. The operator shall contact the Field/District Office at least 48 hours prior to the start of the project to schedule a pre-work conference. The crew supervisor and additional crew chiefs (if needed) will attend the pre-work conference to discuss the terms and conditions for this operation.
2. The operator's representative will attend a meeting with the BLM to discuss cultural artifacts and potential penalties for tampering with cultural artifacts. The meeting can be held as part of the pre-work conference.
3. The operator will obtain permission from right-of-way holders prior to drilling and setting charges within authorized limits of the rights-of-way.
4. Existing routes and trails will be used to the maximum extent possible. The heliportable drill or other BLM approved technique will be used on the areas with steep slopes and rough terrain. Attempts to traverse irregular, soft, or steep slopes and terrain by all vehicles and equipment shall be kept to a minimum to avoid excessive rutting, soil erosion, excessive crushing of vegetation, and excessive visual impacts. Vehicular travel along the flagged lines will be kept to a minimum and be in a zigzag pattern between source points to reduce straight line disturbances. This procedure does not apply to vehicles following trails or roads.
5. Vehicular travel shall be suspended when ground conditions are wet enough to cause rutting or other noticeable surface deformation and severe compaction. As a general rule, if vehicles or other project equipment create ruts in excess of four inches deep when traveling cross-country over wet soils, the soil shall be deemed too wet for vehicular use.
6. The staging area(s) will be situated with good, safe access to county roads or state highways. The fuel truck for the helicopter will also be utilized at the staging area(s).
7. The staging area(s) shall be kept clean and free of litter. Appropriate human waste facilities will be provided and properly maintained. Such waste facilities shall be removed from the site upon completion of the project.
8. Roads will not be constructed for geophysical projects authorized under a categorical exclusion.

9. Operators of vehicles and equipment shall be responsible for not damaging fences and keeping gates as found. As a last resort, should a fence be cut for access, that fence must be repaired to former or better condition, after equipment has passed through.
10. Shot holes will be backfilled and plugged, in accordance with state regulations, after they are loaded with the explosive charge. Any cuttings resulting from shot hole drilling and not used in backfilling the shot hole will be scattered about the immediate area to blend with natural terrain and reduce visual impacts.
11. Geophysical equipment may encounter congested areas with trees requiring one or more trees to be removed and or limbed. If such action is needed then the tree(s) and or limb(s) shall be less than eight (8) inches at diameter breast height (dbh) or at the base of the branch. Trees to be cut or limbed which are located adjacent to public roads, communities and or public facilities shall be immediately cut into smaller pieces so that it is not aesthetically displeasing and dispersed within the immediate vicinity.
12. Any and all tire tracks one hundred feet (100'), leading away from an established dirt or two track road situated on public lands, will be hand raked to blend into the surrounding soil surface.
13. If soil is disturbed to the extent that erosion is likely or visual impacts are readily apparent, the disturbed areas will be rehabilitated utilizing the following techniques:

Ruts and vehicle tracks will be filled with soil and/or obliterated by either hand raking or similar method. When completing this work, care will be taken to minimize disturbance to surrounding lands that have not been disturbed. All areas where rehabilitation work is accomplished will be reseeded with the seed mixtures specified below:

Seed Mix

(To be provided by the local BLM Field/District Office.)

The seeded area should be hand raked to assure the seed is covered with approximately ¼ to ½ inch of soil. This seeding should be accomplished during the late fall, in October or November, before moisture conditions become prohibitive.

The seed shall be certified, pure live seed, and seed tags must be available if requested by the authorized officer. Certified weed free seed is to be used to rehabilitate disturbed land.

14. Setbacks and Buffers: the operator will adhere to setbacks or "buffer zones" that are set forth in the following tables.

**Offset in Feet, from Certain Objects
(based on pounds of explosive charge)**

Object	< 1 lb	1 lb	2 lbs	3 lbs	5 lbs	6 to 10 lbs	11 to 15 lbs	16 to 20 lbs
Pipeline less than 6" diameter	50'	100'	150'	150'	200'	250'	300'	400'
Pipeline 6" to 12" diameter	75'	150'	200'	200'	300'	400'	500'	600'
Pipeline greater than 12" diameter	100'	200'	250'	250'	300'	500'	600'	800'
Telephone line	20'	20'	30'	40'	40'	50'	50'	50'
Railroad Track or main paved Highway	50'	100'	150'	150'	150'	220'	280'	350'
Electric Powerline (Shot holes not to exceed 200' depth)	75'	100'	200'	200'	200'	200'	250'	300'
Water wells, buildings, underground cisterns, and all other similar objects	225'	300'	400'	450'	700'	800'	1000'	1200'
Brick and/or concrete block buildings	275'	400'	500'	600'	800'	1000'	1200'	1500'
Producing oil and gas well	250'	450'	600'	700'	800'	900'	1000'	1000'
Irrigation wells	500'	800'	1000'	1200'	1500'	2000'	2500'	2500'

Minimum Safe Offset In Feet for Vibrator Truck Operations

Structures	Distance (ft)
Residences, Buildings, Concrete Base Structures	300
Water Wells	350
Concrete Water Pipeline	100
PVC/Plastic Water Pipeline	20
Oil or Gas Well	250
Oil or Gas High Pressure Pipelines	30
High Voltage Power Lines	0
Local Transmission Power Lines	0

15. No equipment, only foot traffic laying receiver lines, will be used in swampy/wetland areas.

16. If any unanticipated prehistoric or historic archaeological sites or paleontological sites are encountered during the geophysical work, the work shall stop and the appropriate BLM archaeologist at the Field/District Office will be contacted. If a site is found, it will be recorded. The BLM will assume responsibility for evaluation and determination of significance, related to the historical or archaeological site. All known cultural resources sites will be avoided. Collection of any cultural or paleontological artifacts, bones or fossils from Federal lands is specifically prohibited.
17. Visible migratory bird nests will be avoided and not disturbed.
18. All equipment will be power washed prior to entering Federal lands to help mitigate the spread of noxious plants.
19. In order to minimize watershed damage and disturbance to game animals utilizing important seasonal wildlife habitat, seismic activity will only be allowed during the period from May 15 to December 15. Exceptions to this limitation may be specifically approved by the authorized officer.
20. When fire conditions reach high, the helicopter, vehicles, and equipment will carry water, shovels, and other fire fighting equipment to extinguish any fires that are accidentally started by the seismic operations.
21. If oil, lubricants and other petroleum or man-made products are accidentally spilled onto the ground surface, the BLM will be contacted and provided specific information about the spill and/or leak. Spills or leaks will be cleaned from the soil and any contaminated material will be bioremediated or disposed of at an authorized landfill.
22. All flagging, lath, pin flags, and similar materials used in the seismic project will be removed from public land and disposed of at an authorized landfill.
23. All Applicant-Committed Environmental Protection Measures documented in the applicant's NOI will be complied with in addition to these