



## United States Department of the Interior

### Bureau of Land Management

Eastern States  
7450 Boston Boulevard  
Springfield, Virginia 22153  
<http://www.es.blm.gov>



October 25, 2010

### NOTICE OF COMPETITIVE LEASE SALE OIL AND GAS

In accordance with Federal Regulations 43 CFR Part 3120, the Eastern States Office is offering competitively 33 parcels containing a total of 3,659.60 acres of Federal minerals in Alabama, Arkansas, Louisiana, Michigan, Mississippi and Ohio for oil and gas leasing.

This notice provides:

- the time and place of the sale;
- how to register and participate in the bidding process;
- the sale process;
- the conditions of the sale;
- how to file a noncompetitive offer after the sale;
- how to file a presale noncompetitive offer; and
- how to file a protest to our offering the lands in this Notice.

Beginning on page 10, is a list of the lands we are offering. The lands are listed by state and described by parcel number and legal land description. Below each parcel we have included any stipulations, lease notices, special conditions, or restrictions that will be made a part of the lease at the time we issue it. We have also identified those parcels where the United States owns less than 100 percent interest in the oil and gas mineral rights; and those that have pending pre-sale noncompetitive offers to lease which will not be available for noncompetitive offers to lease if they receive no bid at the sale. **Copies of the lease sale maps are available for viewing on our website: <http://www.blm.gov/es/st/en.html>**

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

**When:** The competitive oral auction will begin at **10:00 a.m. on December 9, 2010.**  
The sale room will open at 9:00 a.m. to allow you to register and obtain your bid number.

**Where:** The sale will be held at the Bureau of Land Management, Eastern States Office, 7450 Boston Boulevard, Springfield, VA 22153. Parking is available.

**Access:** The sale room is accessible to persons with disabilities. If assistance is needed for the hearing or visually impaired, contact the Minerals Adjudication Team on (703) 440-1600, or at the mailing address on the letterhead of this notice by November 29, 2010.

Information regarding leasing of Federal minerals overlain with private surface, referred to as “Split Estate”, is available at the following Washington Office website. A Split Estate brochure is available at this site. The brochure outlines the rights, responsibilities, and opportunities of private surface owners and oil and gas operators in the planning, lease sale, permitting/development, and operations/production phases of the oil and gas program: [http://www.blm.gov/bmp/Split\\_Estate.htm](http://www.blm.gov/bmp/Split_Estate.htm).

### **What is the sale process?**

Starting at 10:00 a.m. on the day of the sale:

- the auctioneer will offer the parcels in the order they are shown in the notice;
- all bids are on a per-acre basis, rounded up to whole acres, for the entire acreage in the parcel;
- the winning bid is the highest oral bid equal to or exceeding the minimum acceptable bid; and
- the decision of the auctioneer is final.

### **How do I participate in the bidding process?**

To participate in the Bureau of Land Management (BLM) bidding process, you must register and obtain a bidder number. If you are bidding for more than one party, you must register and obtain a separate bidder number for each company or individual you represent. The BLM will begin registering bidders at 9:00 a.m. on the day of the sale.

When you register to bid, you will be required to show a valid government-issued photo identification (ID) to verify your identity. If you do not provide a valid photo ID, you will not be allowed to register as a bidder and participate in the auction.

You will also be asked to sign a statement to confirm that any bid you cast will represent a good-faith intention to acquire an oil and gas lease and that you understand that any winning bid will constitute a legally binding commitment to accept the lease and pay monies owed. Further, you will acknowledge that you understand that it is a crime under 18 U.S.C. 1001 and 43 U.S.C. 1212 to knowingly and willfully make any false, fictitious, or fraudulent statements or representations regarding your qualifications; bidder registration and intent to bid; acceptance of a lease; or payment of monies owed; and that any such offense may result in a fine or imprisonment for not more than 5 years or both. You will also acknowledge that you understand that it is a crime under 30 U.S.C. 195 (a) and (b) to organize or participate in any scheme to defeat provisions of the mineral leasing regulations. Any person who knowingly violates this provision will be punished by a fine of not more than \$500,000, imprisonment for not more than 5 years, or both.

If you, or the party you represent, owe the United States any monies that were due the day of a previous oil and gas lease auction conducted by any BLM office (the minimum monies owed the day of sale), you will not be allowed to register to bid at this lease sale. The Mineral Leasing Act requires that leases be issued to a “responsible qualified bidder” (30 U.S.C. 226(b)(1)(A)). Any bidder, or party represented by a bidding agent, that does not pay the minimum monies owed the day of the sale is not a “responsible qualified bidder” and will be barred from participating in any oil and gas lease auction nationwide until that debt to the United States is settled. In addition, if you or the party you represent defaults at any three sales conducted by any BLM office, you or the party you represent will be barred permanently from participating in any other BLM oil and gas lease sale auction.

### **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 a parcel, we will post a notice in Eastern States’ Public Room and on our website at [http://www.blm.gov/es/st/en/prog/minerals/current\\_sales\\_and.html](http://www.blm.gov/es/st/en/prog/minerals/current_sales_and.html). You may also get the number(s) of withdrawn parcels by contacting the Minerals Adjudication Team on (703) 440-1600. If there’s a need to cancel the sale, we will try to notify all interested parties in advance.
- **Payment due on the day of the sale:** Payment is due on the day of the sale. You cannot withdraw a bid. For each parcel you win, you must pay the minimum bonus bid of \$2 per acre or fraction of an acre, the first year’s advance rental of \$1.50 per acre or fraction of an acre, and a non-refundable administrative fee of \$145. You must pay these monies by 4:30 p.m. **December 9, 2010** at the sale site or by 4:30 p.m., **December 23, 2010** at BLM-ES’ Accounts Department.

The minimum monies owed on the day of the sale for a winning bid are monies owed to the United States (43 CFR 3120.5-2(b) and 43 CFR 3120.5-3(a)). If payment of the minimum monies owed the day of the sale is not received by the date and time above, the BLM will issue a bill for the monies owed. If payment is not received by the bill due date, a demand letter will be sent to you that will include additional fees. If payment is not received as requested by the demand letter, the U.S. will immediately pursue collection by all appropriate methods, and when appropriate, collect late fees, interest, administrative charges, and on past-due amounts assess civil penalties. “All appropriate methods” include, but are not limited to, referral to collection agencies and credit reporting bureaus; salary or administrative offset; offset of Federal and state payments, including goods or services; Federal and state tax refund offset; and retirement payment offset. Debts may be sent to the Internal Revenue Service and charged as income to you on Form 1099C, Cancellation of Debt (Federal Claims Collection Act of 1966, as amended; The Debt Collection Improvement Act of 1996; 31 CFR part 285).

- **Forms of payment:** You can pay by personal check, certified check, money order, or credit card (Visa, MasterCard, American Express, and Discover cards only). Cash is unacceptable. If you plan to make your payment using a credit card, you should contact your bank prior to the sale and let them know you will be making a substantial charge against your account. If you pay by check, please make checks payable to: **Department of the Interior - BLM**. If a check you have sent to us in the past has been returned for “*insufficient funds*” we will require that you give us a guaranteed payment, such as a certified check.

**Effective February 1, 2005, BLM will not accept credit card or debit card payments to the Bureau for any amount equal to or greater than \$100,000 for any purpose. We also will not accept aggregate smaller amounts to bypass this requirement. We encourage you to make any payments of \$100,000 or more by Automated Clearing House (ACH).**

#### **What are the terms and conditions of a lease issued as a result of this sale?**

- **Term of the lease:** A lease is issued for a primary term of 10 years. It continues beyond that if it has production in paying quantities. Advance rental at \$1.50 per acre or fraction of an acre for the first 5 years (\$2.00 per acre after that) is due on or before the anniversary date each year until production begins. We charge a royalty of 12.5 percent of the value of oil or gas removed or sold from a lease. You will find other lease terms on our standard lease form (Form 3100-11, October 2008).
- **Stipulations:** Some parcels are subject to surface use stipulations. They are requirements or restrictions on how you conduct operations. These stipulations are included in the parcel descriptions on the attached list. They become part of the lease and supersede any inconsistent provisions in the lease form.
- **Bid Form:** Successful bidders must submit a signed competitive lease bid form (Form 3000-2, August 2007) with their payment on the day of the auction. This form is a legally binding offer by a prospective lessee to accept a lease and all applicable terms and conditions. We recommend you get the form and complete part of it before the auction, leaving part to be filled out at the auction. Your completed bid form certifies that you are qualified to be a lessee under our regulations at 43 CFR Part 12 and Subpart 3102.5-2. It also certifies that you comply with 18 U.S.C. 1860, a law prohibiting unlawful combinations, intimidation of or collusion among bidders. Bid forms are available online at: [http://www.blm.gov/es/st/en/prog/minerals/frequently\\_used\\_oil.html](http://www.blm.gov/es/st/en/prog/minerals/frequently_used_oil.html)
- **Issuance of a lease:** We (the BLM) will issue your lease within 60 days of the sale date by signing the lease form provided you have paid your fees and rent. The effective date of a lease is the first day of the month following the month in which we sign the lease. We can make it effective the first day of the month in which we sign it, if we receive your written request before we sign the lease.

## **How do I file a noncompetitive over-the-counter offer after the auction?**

You may be able to get a noncompetitive lease for a parcel we offered if –

- we did not withdraw it from the sale;
- it did not receive a bid; and
- it does not have a noncompetitive pre-sale offer pending.

Parcels that meet all these criteria are available on a first-come, first-served basis for two years from the date of the auction. If you want to file a noncompetitive offer for unsold parcel immediately after the sale or on the next business day, give us the items listed below under presale offers in a sealed envelope marked “Noncompetitive Offer.” We consider all noncompetitive offers that we receive on the day of the sale and the first business day after the sale as filed at the same time (simultaneously). Where an unsold parcel receives more than one simultaneous filing, we will hold a public drawing in our Public Room to determine first priority.

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

Per Federal Regulations 43 CFR 3110.1(a), you can file a noncompetitive pre-sale offer for lands that –

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

If no bid is received on them, your pre-sale offer gives you priority over any offer filed after the auction. In the list of parcels attached to this notice, we have used an asterisk to mark any parcel that has a pending pre-sale offer. By filing a pre-sale offer, you are consenting to all terms and conditions of the lease, including any stipulations for listed on the attachment to this notice.

To file a —pre-sale offer, you must send us --:

- A standard lease form (Form 3100-11, October 2008), which is properly filled out, as required by the regulations under 43 CFR 3110;
- the first year’s advance rent in the amount of Rental \$1.50 per acre or fraction thereof; and
- a non-refundable administrative fee in the amount of \$375.00.

**NOTE: You cannot file a “pre-sale” offer for any of the lands included in this Notice.**

### **Can I protest BLM's decision to offer the lands in this Notice for lease?**

**Yes.** Under Federal Regulations 43 CFR 3120.1-3, you may protest the inclusion of a parcel listed in this sale notice. All protests must meet the following requirements:

- We must receive a protest no later than close of business on the 15th calendar day prior to the date of the sale. If our office is not open on the 15th day prior to the date of the sale, a protest received on the next day our office is open to the public will be considered timely filed. The protest must also include any statement of reasons to support the protest. We will dismiss a late-filed protest or a protest filed without a statement of reasons.
- A protest must state the interest of the protesting party in the matter.
- You may file a protest either by mail in hardcopy form or by fax. You may not file a protest by electronic mail. A protest filed by fax must be sent to (703) 440-1551. A protest sent to a fax number other than the fax number identified or a protest filed by electronic mail will be dismissed;
- If the party signing the protest is doing so on behalf of an association, partnership or corporation, the signing party must reveal the relationship between them. For example, unless an environmental group authorizes an individual member of its group to act for it, the individual cannot make a protest in the group's name.

### **If BLM receives a timely protest of a parcel advertised on this Sale Notice, how does it affect bidding on the parcel?**

We will announce receipt of any protests at the beginning of the sale. We will also announce a decision to either withdraw the parcel or proceed with offering it at the sale.

### **If I am the high bidder at the sale for a protested parcel, when will BLM issue my lease?**

We will make every effort to decide the protest within 60 days after the sale. We will issue no lease for a protested parcel until the State Director makes a decision on the protest. If the State Director denies the protest, we will issue your lease concurrently with that decision.

### **If I am the successful bidder of a protested parcel, may I withdraw my bid and receive a refund of my first year's rental and bonus bid?**

**No.** In accordance with Federal Regulations (43 CFR 3120.5-3) you may not withdraw your bid.

### **If BLM upholds the protest, how does that affect my competitive bid?**

If we uphold a protest and withdraw the parcel from leasing, we will refund your first year's rental, bonus bid and administrative fee. If the decision upholding the protest results in additional stipulations, we will offer you an opportunity to accept or reject the lease with the additional stipulations prior to lease issuance. If you do not accept the additional stipulations, we will reject your bid and we will refund your first year's rental, bonus bid and administrative fee.

**If BLM's decision to uphold the protest results in additional stipulations, may I appeal that decision?**

**Yes.** An appeal from the State Director's decision must meet the requirements of Title 43 CFR §4.411 and Part 1840.

**Can I appeal BLM's decision to deny my protest?**

**Yes.** An appeal from the State Director's decision must meet the requirements of Title 43 CFR §4.411 and Part 1840.

**Can I withdraw my bid if the protestor files an appeal?**

**No.** If the protestor appeals our decision to deny the protest, you may not withdraw your bid. We will issue your lease concurrently with the decision to deny the protest. If resolution of the appeal results in lease cancellation, we will authorize refunds of the bonus bid, rental and administrative fee, if—

- There is no evidence that the lessee(s) derived any benefit from possession of the lease during the time they held it, and;
- There is no indication of bad faith or other reasons not to refund the rental, bonus bid and administrative fee.

**Where can I get copies of the BLM forms mentioned in the Notice?**

Form 3100-11 (October 2008), Offer to Lease and Lease for Oil and Gas, and Form 3000-2 (August 2007), Competitive Oil and Gas or Geothermal Resources Lease Bid may be downloaded from the following Forms Central web address: <http://www.blm.gov/blmforms/>.

**When is BLM-ES' next competitive sale date?**

The next sale is tentatively scheduled for March 17, 2011. We will notify the public in advance should this date change.

**Who should I contact if I have questions regarding this lease sale?**

For more information, please contact Eastern States' Information Access Center on (703) 440-1600 or X1603

*/S/ Larry Cave*

Larry Cave

Acting Supervisory Land Law Examiner

Division of Natural Resources

**Enhanced Bidder Registration Form**  
Bidder Registration Form  
Competitive Oil and Gas Lease Sale

By completing this form, I certify that the undersigned, or the principal party whom the undersigned is acting on behalf of, is in compliance with the applicable regulations and leasing authorities governing a bid and subsequent lease. I certify that any bid submitted by the undersigned or on behalf of the principal party is a good faith statement of intention by the undersigned or the principal party to acquire an oil and gas lease on the offered lands. Further, I acknowledge that if a bid is declared the high bid, it will constitute a legally binding commitment to execute the Bureau of Land Management's Form 3000-2, Competitive Oil and Gas or Geothermal Resources Lease Bid, and to accept the lease.

In addition, if a bid is declared the high bid, the undersigned or the principal party will pay to the Bureau of Land Management (BLM) by the close of official business hours on the day of the auction, or such other time as may be specified by the authorized officer, an amount at least equal to the minimum monies owed the day of sale for that bid, as set out in applicable regulations. The undersigned and the principal party acknowledge that these monies are due to the Bureau of Land Management as a result of winning the auction. Further, the undersigned and the principal party understand that if payment is not received by the due date, the BLM will issue a bill for monies owed, and if payment is not received, the United States will pursue collection by all appropriate methods, and as appropriate, will assess late fees, civil penalties, interest, administrative charges, and penalties on past due amounts (Federal Claims Collection Act of 1966, as amended; The Debt Collection Improvement Act of 1996; 31 CFR part 285).

I certify that neither I nor the principal party whom I represent owes the United States any monies that were due the day of sale from any oil and gas lease auction conducted by any Bureau of Land Management office.

It is a crime under 18 U.S.C. 1001 and 43 U.S.C. 1212 for any person to knowingly and willfully make any false, fictitious, or fraudulent statements or representations as to any matter within the jurisdiction of the government. Any such offense may result in a fine or imprisonment for not more than 5 years, or both.

It is a crime under 30 U.S.C. 195 (a) and (b) to organize or participate in any scheme to defeat provisions of the mineral leasing regulations or for any person to obtain money or property by means of false statements regarding a person's ability to obtain a lease. Any person who knowingly violates this provision shall be punished by a fine of not more than \$500,000, imprisonment for not more than 5 years, or both.

**A separate registration is required for each company or individual you are representing.**

Please fill in the company/individual name and address as it would appear on any issued lease. We will send a copy of the lease and billing notices to the name and address as shown below. (NOTE: Please use the same lessee name and address information on BLM Form 3000-2.)

\_\_\_\_\_  
Bidder Number (leave blank)

Lessee Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Bidder Name: \_\_\_\_\_ Phone number: \_\_\_\_\_  
(including area code)

Relationship to lessee: \_\_\_\_\_  
(Self, Agent, Attorney-in-fact, President, etc.)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**For BLM Use Only: Type of identification:** \_\_\_\_\_

### **HOTEL INFORMATION**

**Comfort Inn**  
**6560 Loisdale Court**  
**Springfield, Virginia**  
**(703) 942-0140**

**Holiday Inn**  
**6401 Brandon Avenue**  
**Springfield, Virginia**  
**(703) 644-5555**

**Hampton Inn**  
**6550 Loisdale Court**  
**Springfield, Virginia**  
**(703) 922-9000**

**Ramada Plaza Hotel**  
**4641 Kenmore Avenue**  
**Alexandria, Virginia**  
**(703) 922-9000**

Hotel shuttle to National Airport and Metro Subway

#### ***Directions to Bureau of Land Management – Eastern States:***

From Washington, DC: take I-395 South through the Springfield Interchange to where I-395 becomes I-95. Continue on I-95 to Backlick/Fullerton Road Exit 167. At the light turn right onto Fullerton Road. At the third light, turn left onto Boston Boulevard (COSTCO to the left). Eastern States is approximately 0.3 miles on the right. Public parking is behind the building.

From Maryland: Take I-95/I-495, Capital Beltway's Inner Loop, across the Wilson Bridge to Alexandria, VA. Continue on I-95/I-495 to the I-395 Interchange; FOLLOW I-95, SOUTH, towards Richmond, VA. Take Exit 167, Backlick Road/Fullerton Road - the second exit south of the Beltway. At the FIRST Stoplight, Turn RIGHT onto Fullerton Road. At the THIRD Stoplight, Turn LEFT onto Boston Boulevard. Eastern States office (7450 Boston Boulevard) is about 0.3 miles on your right. Take either the sixth or seventh driveway to the right. Public parking is behind the building.

Traveling North I-95 in Virginia: Take I-95 NORTH, to Exit 166-B, Backlick Road/Fullerton Road (just past the fuel tank farm). Take Exit 167, to Fullerton Road - the second exit. At the FIRST Stoplight, Turn LEFT onto Fullerton Road. At the SECOND Stoplight, Turn LEFT onto Boston Boulevard. Eastern States Office (7450 Boston Boulevard) is about 0.3 miles on your right. Free public parking is available.

**PRIVATE SURFACE/FEDERALLY-OWNED MINERALS**

**ALABAMA**

**ES-001-12/10 ALES 56528 ACQ**

Alabama, Covington County, Conecuh N.F.

T2N, R16E, St. Stephens Meridian

Sec. 12, NW, N2SW.

249.09 Acres

\$375.00 Rental

Subject to F.S. Lease Notices No. 3 and No. 4

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations

(EOI #597)

**ES-002-12/10 ALES 56529 PD**

Alabama, Conecuh County, BLM

T4N, R7E, St. Stephens Meridian

Sec. 35, SWNW.

39.93 Acres

\$60.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations

(EOI #438)

**ES-003-12/10 ALES 56530 ACQ**

Alabama, Monroe County, FFMC

T6N, R8E, St. Stephens Meridian

Sec. 34, SENE, NESE.

**50% U.S. Minerals Interest**

76.00 Acres

\$114.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations

(EOI #569)

## **ARKANSAS**

### **ES-004-12/10 ARES 56531 PD**

Arkansas, Franklin County, BLM  
T10N, R26W, Fifth Principal Meridian  
Sec. 2, NWNE, NENW, SESW, SESE.  
160.00 Acres  
\$240.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation, Lease Notices/Best Management Practices Stipulations, plus BLM's American Burying Beetle Stipulation, and BLM's Lease Notices/Best Management Practices for the American Burying Beetle – Pesticide Use (EOI #57)

## **LOUISIANA**

### **ES-005-12/10 LAES 56532 PD**

Louisiana, Natchitoches Parish, BLM  
T9N, R9W, Louisiana Meridian  
Sec. 24, Lots 1, 2, 3;  
T9N, R10W, Louisiana Meridian  
Sec. 19, SWNE.  
56.25 Acres  
\$85.50 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations (EOI #818)

### **ES-006-12/10 LAES 56533 PD**

Louisiana, Sabine Parish, BLM  
T9N, R12W, Louisiana Meridian  
Sec. 12, Lot 1  
5.96 Acres  
\$9.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations and Lease Notices/Best Management Practices Stipulations (EOI #668)

### **ES-007-12/10 LAES 56534 PD**

Louisiana, Caldwell Parish, BLM  
**T13N, R4E**, Louisiana Meridian  
Sec. 28, NENW.  
**T14N, R4E**, Louisiana Meridian  
Sec. 24, Lot 7  
Sec. 25, Lots 1 & 3, E2, E2NW, NESW.  
583.49 Acres  
\$876.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations  
(EOI #639 Sections 24, 25 & 28)  
(EOI #786 Section 25)

**ES-008-12/10 LAES 56535 PD**

Louisiana, Desoto Parish, BLM  
T15N, R13W, Louisiana Meridian  
Sec. 18, SWNE.  
39.30 Acres  
\$60.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations  
(EOI #824)

**ES-009-12/10 LAES 56536 PD**

Louisiana, Caddo Parish, BLM  
T16N, R14W, Louisiana Meridian  
Sec. 24, NWNW.  
40.00 Acres  
\$60.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations and Lease Notices/Best Management Practices Stipulations. This parcel is subject to a CA joinder agreement stipulation.  
(EOI #714)

**The lands in this parcel are committed to Communitization Agreement (CA)  
LAES 55804, approved January 4, 2010; effective July 7, 2009.**

**Parcel Number ES-009-12/10 LAES 56536** is within existing Communitization Agreement (CA), operated by Chesapeake Energy Corporation and are subject to the following CA joinder agreement stipulation:

*The successful bidder is required to file evidence of having entered into an agreement with the CA operator for the development and operation of the subject lands under the terms and provisions of the approved communization agreement.*

*The successful bidder should immediately contact the CA Operator, Chesapeake Energy Corporation P.O. Box 18496, Oklahoma City, Oklahoma 73154. In order to join the CA, the operator will give instructions about executing copies of the joinder agreement. Five duplicate originally signed copies of the joinder agreement must be furnished to the BLM Jackson Field Office, 411 Briarwood Drive, Suite 404, Jackson, MS 39206.*

*When the evidence is filed with the above office, a copy of the transmittal letter must be filed in the State Office in Springfield, Virginia*

**ES-010-12/10 LAES 56537 PD**

Louisiana, Webster Parish, BLM  
T17N, R10W, Louisiana Meridian  
Sec. 36, Lot 3.

55.50 Acres

\$84.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations  
(EOI #798)

**ES-011-12/10 LAES 56538 PD**

Louisiana, Webster Parish, BLM  
T17N, R10W, Louisiana Meridian  
Sec. 14, Lot 6-15;

Sec. 23, Lot 1.

213.97 Acres

\$321.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations  
(EOI #799)

**ES-012-12/10 LAES 56539 PD**

Louisiana, Bossier Parish, BLM  
T17N, R11W, Louisiana Meridian  
Sec. 24, SESE.

39.93 Acres

\$60.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations  
(EOI #797)

**ES-013-12/10 LAES 56540 PD**

Louisiana, Caddo Parish, BLM  
T17N, R15W, Louisiana Meridian  
Sec. 6, Lot 1.

12.96 Acres

\$19.50 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations  
(EOI #795)

**ES-014-12/10 LAES 56541 PD**

Louisiana, Caddo Parish, BLM  
T17N, R15W, Louisiana Meridian  
Sec. 4, Lot 1.

17.37 Acres

\$27.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations (EOI #800)

**ES-015-12/10 LAES 56542 PD  
(Removed)**

**ES-016-12/10 LAES 56543 PD**

Louisiana, Caddo Parish, BLM  
T19N, R16W, Louisiana Meridian  
Sec. 18, SWSE.

30.57 Acres

\$46.50 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations (EOI #810)

**ES-017-12/10 LAES 56544 PD**

Louisiana, Claiborne Parish, BLM  
T23N, R7W, Louisiana Meridian  
Sec. 26, NESW

39.98 Acres

\$60.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations (EOI #615)

**ES-018-12/10 LAES 56545 PD**

Louisiana, Pointe Coupee Parish, BLM  
T5S, R9E, Louisiana Meridian  
Sec. 58, All also known as Lot 87

1.24 Acres

\$3.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations (EOI #675)

**ES-019-12/10 LAES 56546 ACQ**

Louisiana, Caldwell Parish, BLM/FHA  
T13N, R4E, Louisiana Meridian

Section 3: Tract 45-A of Unit 4 (RR-LA-14) containing 52.03 acres, more or less, situated in the East Half (E/2) of Section 3, Township 13 North, Range 4 East and being more fully described as follows: Beginning at the NE corner of the SE/4 of NE/4 of said Section 3; thence run South along the East line of said Section 3 a distance of 879.1 feet; thence run West a distance of 2,640.0 feet; thence run North 00 degrees 40 minutes West a distance of 544.7 feet to an iron pipe on the South bank of the Bell or Dirt Bridge Bayou; thence run North a distance of 310.5 feet to an iron pipe marking the NW corner of the SW/4 of the NE/4 of said Section 3; thence run North 89 degrees 34 minutes East a distance of 2,640.0 feet back to the point of beginning and being that same acreage described in that certain Quit Claim Deed from the United States

of America to Charlie Campbell dated January 1, 1945 and recorded in the public records of Caldwell Parish, Louisiana in COB 58, Page 505 under Entry No. 40557.

- Section 3: Tract 45-A of Unit 2 (RR-LA-14) containing 46.18 acres, more or less, situated in the South Half (S/2) of Section 3, Township 13 North, Range 4 East and being more fully described as follows: Starting at the quarter corner on the line between Sections 3 and 10-T13N~R4E; thence run North 00 degrees 36 minutes West a distance of 264.0 feet to an iron pipe for the point of beginning; thence run North degrees 52 minutes West along the center line of a road a distance of 1,435.0 feet; thence run North 17 degrees 08 minutes East a distance of 1,645.0 feet; thence run East a distance of 870.0 feet; thence run South 00 degrees 40 minutes East a distance of 999.3 feet to an iron pipe; thence .run South 00 degrees 36 minutes East a distance of 980.0 feet back to the point of beginning and being that same acreage described in that certain Quit Claim Deed from the United States of America to M. B. Scroggs dated January 1, 1945 and recorded in the public records of Caldwell Parish, Louisiana in COB 58, Page 505 under Entry No. 40559.
- Section 3: Tract 45-A of Unit 6 (RR-LA-14) containing 50.13 acres, more or less, situated in the Southeast Quarter (SE/4) of Section 3, Township 13 North, Range 4 East and being more fully described as follows: Starting at the quarter corner on the line between Sections 3 and 10-T13N-R4E; thence run North 00 degrees 36 minutes West a distance of 264.0 feet to an iron pipe; thence run North 00 degrees 36 minutes East a distance of 980.0 feet to an iron pipe for the point of beginning; thence run North 00 degrees 40 minutes West a distance of 850.0 feet; thence run East a distance of 2,640.0 feet to the East line of said Section 3; thence run South along the East line of said Section 3 a distance of 805.0 feet to the SE corner of the NE/4 of the SE/4 of said Section 3; thence run South 89 degrees 09 minutes West a distance of 2,640.0 feet back to the point of beginning and being that same acreage described in that certain Quit Claim Deed from the United States of America to Charlie McDonald dated January I, 1945 and recorded in the public records of Caldwell Parish, Louisiana in COB 58, Page 508 under Entry No. 40564.
- Section 3: Tract 45-A of Unit 5 (RR-LA-14) containing 49.72 acres, more or less, situated in the East Half (E/2) of Section 3, Township 13 North, Range 4 East and being more fully. described as follows: Starting at an iron pipe marking the Southwest corner of the NW/4 of the SE/4 of said Section 3; thence run North 00 degrees 40 minutes West, along the North and South center line of said Section 3 a distance of 850.0 feet for a point of beginning; thence continue North 00 degrees 40 minutes West along said North and South center line a distance of 825.0 feet; thence run East a distance of 2,640.0 feet to the East line of said Section 3; thence run South along the East line of said Section 3 a distance of 825.0 feet; thence run West a distance of 2,640.0 feet back to the point of beginning and being that same acreage described in that certain Quit Claim Deed from the United States of America to Clarence M. Herrington dated January 1, 1945 and recorded in the public records of Caldwell Parish, Louisiana in COB 56, Page 404 under Entry No. 38084.
- Section 3 & 42: That certain tract containing 42.16 acres, more or less, situated in the West Half (W 12) of Section 3 and in the North part of Section 42, all in Township 13 North, Range 4 East and being more fully described as follows: Starting at an iron pipe marking the Southwest corner of the NW/4 of SE/4 of said Section 3; thence run North 00 degrees 40 minutes West along the North and South line of said Section 3 a distance f 999.3 feet for

a point of beginning; thence run West a distance of 2,017.9 feet to the Northwest line of said Section 42; thence run North 39 degrees 01 minutes East a distance of 984.7 feet to an iron pipe; thence run North 49 degrees 53 minutes East, a distance of 282.6 feet to the Southeast bank of Bell Bayou; thence following the Southeast bank of Bell Bayou North 48 degrees 17 minutes East a distance of 542.6 feet; thence run South 79 degrees 35 minutes East a distance of 534.7 feet; thence run North 88 degrees 12 minutes East a distance of 235.1 feet to an iron pipe on the North and South center line of said Section 3; thence run South 00 degrees 40 minutes East long said center line a distance of 1,219.9 feet back to the point of beginning and being that same acreage described in that certain Quit Claim Deed from the United States of America to Oliver L. Mills dated January 1, 1945 and recorded in the public records of Caldwell Parish, Louisiana in COB 56, Page 403 under Entry No.38082.

Sections 3 & 42: Tract 45-A of Unit 1 (RR-LA-14) containing 46.82 acres, more or less, and being more fully described as follows: Starting at the quarter corner on the line between Sections 3 and 10-T13N-R4E; thence run North 00 degrees 36 minutes West a distance of 264.0 feet to an iron pipe; thence run North 72 degrees 52 minutes West along the center line of a road a distance of 1,435.0 feet to the point of beginning; thence continuing along the center line of said road North 72 degrees 52 minutes West a distance of 830.2 feet; thence North 75 degrees 26 minutes West along the center line of said road a distance of 779.8 feet to the NW line of said Section 42; thence following said section line North 39 degrees 01 minutes East a distance of 1,440.0 feet; thence run East a distance of 1,147.9 feet; thence run South 17 degrees 08 minutes West a distance of 1,645.0 feet to the point of beginning and being that same acreage described in that certain Quit Claim Deed from the United States of America to James A. Hendrixson dated January 1, 1945 and recorded in the public records of Caldwell Parish, Louisiana in COB 58, Page 504 under Entry No. 40555.

287.04 Acres

\$432.00 Rental

**75% - US Mineral Interests**

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations  
(EOI #639)

**ES-020-12/10 LAES 56547 ACQ**

Louisiana, Caldwell Parish, BLM/FHA

T13N, R4E, Louisiana Meridian

Section 43: Unit 74 (RR-LA-14) containing 99.729 acres, more or less, and being more fully described as follows: A tract lying in Lot 25 of Section 43, Township 13 North, Range 4 East and described as starting at a 2 ½ inch pipe marking the intersection of the South line of said Lot 25 (original survey) with the East line of said Section 43; thence run North 89 degrees 45 minutes West along said South lot line a distance of 2,573.5 feet to the center line of a drainage ditch for a point of beginning; thence continue North 89 degrees 45 minutes West along the South lot line a distance of 43.2 feet to the center line of State Highway No. 17; thence following the center line of said highway run 60 degrees 40 minutes West a distance of 1,997.1 feet; thence run North 89 degrees 45 minutes West a distance of 2,259.7 feet to the center line of a bayou; thence following the center line of said bayou run North 27 degrees 49 minutes East a distance of 81.8 feet; thence run North 14 degrees 03 minutes West a distance of 227.5 feet; thence run North 15 degrees 48 minutes East a distance of 224.2 feet; thence

run North 29 degrees 17 minutes East a distance of 296.7 feet; thence run North 34 degrees 12 minutes East a distance of 25.3 feet; thence run South 89 degrees 45 minutes East a distance of 3,739.4 feet; thence run South 16 degrees 39 minutes West a distance of 258.9 feet; thence run South 89 degrees 36 minutes East a distance of 626.4 feet to the center line of said ditch; thence run South 16 degrees 39 minutes West along the center line of said ditch a distance of 1,574.0 feet back to the point of beginning and being that same acreage described in that certain Quit Claim Deed from the United States of America to Daniel L. Peterson dated January 1, 1945 and recorded in the public records of Caldwell Parish, Louisiana in COB 60, Page 452 under Entry No. 42772. Unit 72 (RR-LA-14) containing 47.305 acres, more or less, and being more fully described as follows: A tract lying East of Round Lake in Lot 25 (original survey) of Section 43, Township 13 North, Range 4 East and described as starting at an iron pipe marking the SE corner of said Lot 25; thence run North 09 degrees 36 minutes West along the East line of said lot, which is also the East line of said Section 43, a distance of 2,455.7 feet to an iron pipe; thence run North 89 degrees 36 minutes West a distance of 2,644.7 feet to an iron pipe; thence run North 13 degrees 08 minutes West a distance of 144.5 feet to an iron pipe; thence run North 18 degrees 29 minutes West a distance of 131.3 feet for a point of beginning; thence North 89 degrees 45 minutes West a distance of 2,164.8 feet; thence North 50 degrees 00 minutes West along a fence a distance of 115.0 feet to the East bank of Round Lake; thence following said lake bank North 38 degrees 47 minutes East a distance of 159.4 feet; thence North 26 degrees 51 minutes East a distance of 424.3 feet; thence North 10 degrees 35 minutes East a distance of 575.5 feet; thence leaving the bank of said lake, run South 87 degrees 09 minutes East a distance of 486.3 feet to an iron pipe on the East right of way line of State Highway No. 17; thence following said line North 03 degrees 02 minutes East 26.2 feet to the South line of a lane; thence South 86 degrees 34 minutes East along the South line of said lane a distance of 1,002.6 feet to an iron pipe; thence run South 18 degrees 29 minutes East a distance of 1,149.8 feet to the point of beginning and being a portion that certain acreage described in that certain Quit Claim Deed from the United States of America to Jessie F. Dumas dated January 1, 1945 and recorded in the public records of Caldwell Parish, Louisiana in COB 60, Page 469 under Entry No. 42871.

Unit 72-A (RR-LA-14) containing 22.356 acres, more or less, and being more fully described as follows: A tract lying East of Round Lake in Lot 25 (original survey) of Section 43, Township 13 North, Range 4 East and described as starting at an iron pipe marking the SE corner of said Lot 25; thence run North 09 degrees 36 minutes West along the East line of said lot, which is also the East line of said Section 43, a distance of 1,791.7 feet for a point of beginning; thence run North 89 degrees 55 minutes West a distance of 1,534.4 feet; thence run North a distance of 662.5 feet; thence run South 89 degrees 36 minutes East a distance of 1,423.8 feet to an iron pipe on the East line of said Section 43; thence run South 09 degrees 36 minutes East along said East section line a distance of 664.0 feet back to the point of beginning and being a portion that certain acreage described in that certain Quit Claim Deed from the United States of America to Jessie F. Dumas dated January 1, 1945 and recorded in the public records of Caldwell Parish, Louisiana in COB 60, Page 469 under Entry No. 42871.

That certain tract containing 65.16 acres and being more fully described as follows: A tract of land being that portion of Lot 24 of Section 43, Township 13 North, Range 4 East of the Dinsmore Survey described as beginning at the corner marked "A" of a plat of survey made by R. N. T. Lovett, Parish Surveyor, as recorded in Conveyance Book W, Page 214 of the

records of Caldwell Parish, Louisiana; thence run West along the line dividing Nicholls Plantation from Teekell's a distance of 62 chains 11 links to corner marked "B" on Columbia public road; thence run South 73 degrees 15 minutes East a distance of 51 chains 86 links; thence run South 51 degrees 15 minutes East a distance of 1 chain 55 links; thence run South 11 degrees 00 minutes East a distance of 74 links; thence run North 81 degrees 50 minutes East a distance of 19 chains 8 links to the East boundary line of a 17.47 acre lot; thence run North 23 degrees West 9 chains 95 links to corner marked "D"; thence run North 30 degrees West 5 chains 89 links a corner marked "A" and being the point of beginning and being that same acreage described in that certain Quit Claim Deed from the United States of America to Horace E. Grant dated January 1, 1944 and recorded in the public records of Caldwell Parish, Louisiana in COB 64, Page 637 under Entry No. 36419.

169.39 Acres

\$255.00 Rental (EOI #711)

**75% - U.S. Mineral Interests**

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations

### **KISATCHIE NATIONAL FOREST, LOUISIANA**

#### **ES-021-12/10 LAES 56548 ACQ**

Louisiana, Winn & Natchitoches Parishes, Kisatchie N.F.

T10N, R5W, Louisiana Meridian

Sec. 8, Tract C-107 in SESW; S2SE;

Sec. 19, N2SE;

Sec. 20, NESW; SWSW.

278.82 Acres

\$418.50 Rental

Subject to F.S. No Surface Occupancy Stipulation # 1(Sec. 8)

Subject to F.S. Controlled Surface Use Stipulation #1 (Sec. 19 & 20)

Subject to F.S. Lease Notice No. 3

Subject to F.S. Lease Notice No. 4 (Sec. 8)

(EOI #918)

#### **ES-022-12/10 LAES 56549 ACQ**

Louisiana, Winn Parish, Kisatchie N.F.

T11N, R5W, Louisiana Meridian

Sec. 27, NESE.

40.00 Acres

\$60.00 Rental

Subject to F.S. Controlled Surface Use Stipulation # 1

Subject to F.S. Controlled Surface Use Stipulation # 2

Subject to F.S. Lease No. 3

(EOI #918)

#### **ES-023-12/10 LAES 56550 ACQ**

Louisiana, Winn Parish, Kisatchie N.F.

T11N, R4W, Louisiana Meridian

Section, 18, N2SE  
80.00 Acres  
\$120.00 Rental  
Subject to Control Surface Use 1, Control Surface Use 2, No Surface Occupancy  
(EOI #1005)

**ES-024-12/10 LAES 56551 ACQ**

Louisiana, Winn & Natchitoches Parishes, Kisatchie N.F.  
T13N, R6W, Louisiana Meridian  
Sec. 5, S2NENE; SENE; W2NESE; S2SE.  
158.44 Acres  
\$238.50 Rental  
Subject to F.S. Controlled Surface Use Stipulation # 1  
Subject to F.S. Lease No.s 3 and 4.  
(EOI #1059)

**MANISTEE NATIONAL FOREST, MICHIGAN**

**ES-025-12/10 MIES 56552 ACQ**

Michigan, Manistee National Forest  
T16N, R15W, Michigan Meridian  
Sec. 21, W2NE, W2SWSENE, SE.  
245.00 Acres  
\$367.50 Rental  
Subject to F.S. Standard Lease Stipulations  
Subject to F.S. Lease Notices # 1, #2, #3, #6.  
Lease Stipulation #2 applies to Sec. 21, S2NENWSE, N2SESWSE, E2SWNWSE,  
S2NWNWSE, S2NWNSE, N2SWNESE  
Lease Stipulation #3 applies to Sec. 21, NWNE, N2N2SWNE, SWSWSE, S2NWSWSE, S2SWSESE  
Lease Stipulation #9 applies to all lands  
***(Grandfathered MIES 36450 OTC)***

**ES-026-12/10 MIES 56553 ACQ**

Michigan, Manistee National Forest  
T16N, R15W, Michigan Meridian  
Sec. 21, \*SW.  
160.00 Acres  
\$240.00 Rental  
***\*47.92% (115/240) – U.S. Mineral Interests***  
Subject to F.S. Standard Lease Stipulations  
Subject to F.S. Lease Notices #1, #2, #3, #6.  
Lease Stipulation #2 applies to portions of Sec. 21, S2SENESE, N2NESESE  
Lease Stipulation #9 applies to all lands  
***(Grandfathered MIES 36445 OTC)***

**PRIVATE SURFACE/FEDERALLY-OWNED MINERALS**

**MISSISSIPPI**

**ES-027-12/10 MSES 56554 PD**

Mississippi, Perry County, BLM  
T3N, R9W, St. Stephens Meridian  
Sec. 22, NESW.

40.00 Acres

\$60.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations  
(EOI #971)

**ES-028-12/10 MSES 56555 PD**

Mississippi, Grenada County, BLM  
T22N, R7E, Choctaw Meridian  
Sec. 18, NESW, NWSE.

80.00 Acres

\$120.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations  
(EOI #1076)

**ES-029-12/10 MSES 56556 ACQ**

Mississippi, Franklin County, BLM  
T6N, R5E, Washington Meridian  
Sec. 9, NENW, Pt. NWNW (Tract H-14)  
Sec. 17, S2SE containing 18.75 acres on North side.

65.05 Acres

\$99.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations  
(EOI #989)

**ES-030-12/10 MSES 56557 ACQ**

Mississippi, Franklin County, BLM  
T7N, R5E, Washington Meridian  
Sec. 18, Pt. SWNW less Tract H-17b.

29.40 Acres

\$45.00 Rental

Subject to BLM's Privately-owned Surface Tracts Stipulations, Freshwater Aquatic Habitat Stipulation and Lease Notices/Best Management Practices Stipulations  
(EOI #991)

**WAYNE NATIONAL FOREST, OHIO**

**ES-031-12/10 OHES56558 ACQ**

Ohio, Gallia County, Wayne NF

T5N, R17W, Ohio River Survey

Sec. 1, SWNW.

41.84 Acres

\$63.00 Rental

Subject to:

Forest Service Standard Lease Stipulations

BLM Lease Notice

Lease Special Notification #1 (Applies to all lands in the parcel)

Lease Notification #1, #2, #3, #4, #5 (Applies to all lands in the parcel)

Lease Stipulation #9 NSO Mass soil instability (see map)

(EOI #97)

**ES-032-12/10 OHES 56559 ACQ**

Ohio, Gallia County, Wayne NF

T6N, R17W, Ohio River Survey

Sec. 24 Pt. SWSW; (28.43 acres)

Pt. S2NW, Pt. N2SW, Pt. SWNE, Pt. NWSE.(61.55 acres)

89.98 Acres

\$135.00 Rental

Subject to:

Forest Service Standard Lease Stipulations

BLM Lease Notice

Lease Special Notification # 1 (Applies to all lands in the parcel)

Lease Notification #1, #2, #3, #4, #5 (Applies to all lands in the parcel)

Lease Stipulation # 1 NSO Future Old Forest, # 3 NSO Special Areas.

(EOI #96)

**ES-033-12/10 OHES 56560 ACQ**

Ohio, Perry County, Wayne NF

T12N, R14W, Ohio River Survey

Ervin Well #3 Section 32, being pt. NW SE, containing 15 acres

Nezom Well #2 Section 33, being pt. N 510ft of the N ½ SE SW, containing 12 acres

Triple B Well –Section 33, being the E 610ft of the E ½ SW NW, containing 12 acres

39.00 Acres

\$60.00 Rental

(EOI #1079)

Subject to:

Forest Service Standard Lease Stipulations:

BLM Lease Notice

BLM Lease Notice for Parcel No. ES-033-12/10.

Lease Special Notification: #1 (Applies to all lands in the Parcel)

Lease Notification: #1, #2, #3, #4, #5 (Applies to all lands in the Parcel)

## **Bureau of Land Management's (BLM)**

### **Privately- Owned Surface Tracts Stipulations**

**The following stipulations apply to Parcel Nos. ES-001-12/10 thru ES-014-12/10, ES-016-12/10 thru ES-020-12/10; ES-027-12/10 thru ES-030 12/10 (EOIs: AL – #438, 569, 597, AR – 57, LA – 615, 639, 668, 675, 711, 714, 795, 797, 798, 799, 800, 810, 818, 824, MS – 971, 989, 991, 1076 )**

### **Cultural Resources and Tribal Consultation**

**Stipulation:** This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. These obligations may include a requirement that you provide a cultural resources survey conducted by a professional archaeologist approved by the State Historic Preservation Office (SHPO). If currently unknown burial sites are discovered during development activities associated with this lease, these activities must cease immediately, applicable law on unknown burials will be followed and, if necessary, consultation with the appropriate tribe/group of federally recognized Native Americans will take place. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.

### **Endangered Species**

**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.

**Exception:** None

**Modification:** None

**Waiver:** None

### **Sensitive Plant Species**

**Stipulation (CSU):** All suitable special status plant species habitat will be identified during environmental review of any proposed surface use activity. If field examination indicates that habitat of one or more of these species is present, the BLM will require a survey by a qualified botanist for special status plants

during periods appropriate to each species. Operations will not be allowed in areas where sensitive plants would be affected.

**Objective:** To protect threatened, endangered, candidate, proposed, and BLM sensitive plant species.

**Exception:** An exception may be granted if the operator agrees to implement measures developed in consultation with USFWS and in coordination with State agencies.

**Modification:** The stipulation may be modified if it is determined that a portion of the lease area does not contain sensitive plant species habitat.

**Waiver:** The stipulation may be waived if, based on field surveys, it is determined that the lease area does not contain sensitive plant species habitat.

## **Bureau of Land Management's (BLM)**

**The following stipulation regarding Freshwater Aquatic Habitat applies to the following parcels: ES-001-12/10 thru ES-005-12/10; ES-007-12/10; ES-008-12/10; ES-010-12/10 thru ES-014-12/10; ES-016-12/10 thru ES-020-12/10 (EOIs AL – 438, 569, 597, AR – 57, LA - 615, 639, 675, 711, 797, 798, 800, 810, 818, 824, MS – 971, 989, 991, 1076)**

### **Freshwater Aquatic Habitat**

**Stipulation (NSO):** No surface occupancy or disturbance, including discharges, are permitted within 250 feet of a river, stream, wetland spring, headwater, wet meadow, wet pine savanna, pond, tributary, lake, coastal slough, sand bar, vernal pools, calcareous seepage marsh, or small, marshy calcareous stream. If the slope exceeds 10 percent, the buffer may be extended to 600 feet to provide adequate protection for aquatic habitats and associated species.

**Objective:** To protect the water quality of watersheds and natural stream substrate and morphology and to avoid potential impacts to aquatic species and their habitat.

**Exception:** An exception may be granted if the operator agrees to 1) span creeks, rivers, wetlands, and floodplains by attaching pipelines to bridges; 2) directionally drill wells and pipelines from upland sites under creeks, rivers, other waters, and wetlands or 3) implement other measures developed in consultation with USFWS and in coordination with State agencies.

**Modification:** The buffer may be reduced if the adjacent waterway has been surveyed for 100 yards upstream and 300 yards downstream of the site, and the results document the lack of suitable/occupied/critical habitat for listed species which may be affected by the project, as determined by the BLM and USFWS.

**Waiver:** None

**The following stipulation regarding the American Burying Beetle applies to Parcel No. ES-004-12/10 ARES 56531 PD (EOI #57)**

**American Burying Beetle – Split Estate**

**Stipulation (CSU):** American Burying Beetle for Split-estate and U.S. Army Corps of Engineer surface in Crawford, Franklin, Little River, Johnson, Logan, Montgomery, Polk, Sebastian, Sevier, and Scott, and Yell counties, Arkansas. (Note: ABB protocols must reflect the most current version)

1. If the project entails more than three acres of disturbance, the applicant will be required to conduct a trap and release program for American burying beetle utilizing accepted protocols outlined in the reasonable and prudent measures in the programmatic biological opinion written by the U.S. Fish and Wildlife Service, Conway Ecological Services Office and dated December 19, 2006. This trap and release program must be conducted by a U.S. Fish and Wildlife Service permitted section 10 biologist during the beetle's active season, between May 20 and September 20.
2. Release sites require U.S. Fish and Wildlife Service and landowner approval prior to conducting the trap and release program.
3. Only those pesticides or herbicides approved for use in ABB areas will be authorized for use by the lessee. No electric insect killers will be used by the lessee.

**Modification:** The disturbance threshold maybe increased to 5 acres if the site is more than five miles from Ft. Chaffee, Cherokee and H.E. Flanagan Natural Areas, and the National Forests in Arkansas.

**Exception:** There may be an exception made for this stipulation for individual projects located in habitats not considered suitable for ABB, including sites with any of the following characteristics:

- a. Soil that is greater than 70 percent sand.
- b. Soil that is greater than 70 percent clay.
- c. Land where greater than 80 percent of the soil surface is comprised of rock.
- d. Land where greater than 80 percent of the subsurface soil structure within the top four inches is comprised of rock.
- e. Land that has already been developed and no longer exhibits topsoil or leaf litter.
- f. Land that is tilled on at least an annual basis.
- g. Land that meets the U.S. Army Corps of Engineers definition of wetland. (However, projects developed in this type of habitat will need to be reviewed by the Corps to ensure compliance with section 404 of the Clean Water Act.
- h. Pine plantations planned for mechanical treatment where stocking density is 750 or more trees per acre (little sunlight to forest floor).
- i. Shortleaf pine or shortleaf pine – hardwood forest stands with 110 square feet per acre or greater over story basal area and more than 700 stems per acre occupying mid story or understory positions.

**Waiver:** None

## **Bureau of Land Management's (BLM)**

**The following Lease Notices/Best Management Practices apply Parcel Nos. ES-001-12/10 thru ES-014-12/10; ES-016-12/10 thru ES-020-12/10; ES-027-12/10 thru ES-030-12/10 (EOIs: AL – #438, 569, 597, AR – 57, LA – 615, 639, 668, 675, 711, 714, 795, 797, 798, 799, 800, 810, 818, 824, MS – 971, 989, 991, 1076 )**

### **Lease Notices/Best Management Practices**

#### **Disposal of Produced Water**

**Objective:** To protect aquatic habitats for and to avoid potential impacts to special status fish, mussels, turtles, snails, plants, and migratory birds.

The preferred method for disposal of produced water will be through reinjection to a permeable formation with total dissolved solids (TDS) content higher than 10,000 milligrams per liter (mg/L) where the aquifer is not hydrologically connected to caves, wetlands, or surface water. In Alabama, the injection of produced water is regulated by the Alabama State Oil and Gas Board. In Mississippi, the injection of produced water is regulated by the Mississippi Department of Environmental Quality (MDEQ) and the Mississippi Oil and Gas Board.

If reinjection is not practicable, closed-containment treatment systems should be used to contain and treat produced water for those contaminants and sediments exceeding State standards or EPA criteria. Salt content of any surface ponds for produced water, pigging pits, or other fluids must be less than 7,500 microsiemens per centimeter ( $\mu\text{S}/\text{cm}$ ). If surface pond salt content is greater than 7,500  $\mu\text{S}/\text{cm}$ , if other bird toxicity is present, or if the surface exhibits sheen, then the ponds must be netted or covered with floating balls, or other methods must be used to exclude migratory birds.

Produced waters may be released into an impounded reservoir if there is documentation that the discharge site and affected waters do not support special status species, are not designated critical habitat, and State and Federal water quality standards/criteria are met. Produced waters may be released into a stream/river if the discharge site and affected waters have been recently surveyed and lack special status species, or if the applicant conducts approved surveys documenting the absence of special status species, State and Federal water quality standards/criteria are met, and a National Pollution Discharge Elimination System (NPDES) permit is obtained. The applicant should be aware that some species can be surveyed only during certain times of the year.

Produced waters may be released into a stream/river if the applicant can document that the produced waters would not adversely affect special status species. Water quality tests would be conducted on stream segment(s) or other locations proposed as discharge points, volumes to be released, and any settling ponds or other treatments proposed to improve wastewater quality. The water quality test data, any monitoring proposed, and other available information about general coalbed methane effluent characteristics (from published or unpublished literature) shall be

reviewed by USFWS. Information about timing of the releases in relation to low water and other planned BMPs would also be required. Testing would include analysis of the discharge site and affected waters for chemical oxygen demand (COD), conductivity, total suspended solids (TSS), As, Hg, Se, and polycyclic aromatic hydrocarbons (PAH). Dissolved oxygen and ammonia standards/criteria must be met in bottom waters if they support listed benthic or epibenthic species. If a special status species has been documented to be more sensitive than State/Federal standards/criteria, site-specific standards for that species may be imposed. Calculations would be based on State standards (or Federal CCC criteria for protection of freshwater aquatic life when the State has not determined a standard for these parameters).

### **Migratory Birds and Federally Listed Wildlife**

**Objective:** To protect perch and roosting sites and terrestrial habitats for and to avoid potential impacts to migratory birds and federally listed wildlife.

Any reserve pit that is not closed within 10 days after a well is completed and that contains water must be netted or covered with floating balls, or another method must be used to exclude migratory birds.

Maximum design speed on all operator-constructed and maintained (non-public) roads shall not exceed 25 miles per hour to minimize the chance of a collision with migratory birds or other listed wildlife species.

All power lines must be built to protect raptors and other migratory birds, including bald eagles, from accidental electrocution, using methods detailed by the Avian Power Line Interaction Committee (APLIC 2006)

### **Perching and Nesting Birds and Bats**

**Objective:** To prevent birds and bats from entering or nesting in or on open vent stack equipment.

Open vent stack equipment, such as heater-treaters, separators, and dehydrator units, will be designed and constructed to prevent birds and bats from entering or nesting in or on such units and, to the extent practical, to discourage birds from perching on the stacks. Installing cone-shaped mesh covers on all open vents is one suggested method. Flat mesh covers are not expected to discourage perching and will not be acceptable.

### **Invasive and Non-Native Species**

**Objective:** To discourage the spread of invasive, non-native plants.

Use of native or non-invasive plants in seeding mixtures will be encouraged to stabilize disturbed areas and during restoration activities. Construction sites will be surveyed for invasive species prior to ground disturbance. If invasive species are found, the proper control measures will be used to either eradicate the

species from the area or minimize its spread to other areas. If cogongrass is found on site, equipment will be washed before exiting the site to prevent the spread of this highly invasive species to other locations. Post-construction monitoring for cogongrass and other invasive plant species should be conducted to ensure early detection and control. In the case of split-estate lands, final seed mixtures will be formulated in consultation with the private landowner.

### **Pesticide Application**

**Objective:** To protect the water quality of watersheds and natural stream substrate and morphology supporting special status species and their host species.

Any ground application of herbicides or other pesticides, sterilants, or adjuvants within 150 feet of listed species or habitat will require site-specific control measures developed in coordination or formal consultation with USFWS. No aerial application of herbicides or pesticides will be permitted.

**The following Lease Notices/Best Management Practices apply to Parcel No. ES-004-12/10 ARES 56531 (EOI #57)**

**American Burying Beetle – Pesticide Use**

**Lease Notice - American Burying Beetle Pesticide Use:** Only the following approved pesticides and herbicides, or those subsequently reviewed and approved by the Service, may be used within the range of American burying beetle. All products must be used in accordance with manufacture's label instructions.

**Insecticides**

Product Name: Aqnique MMF  
Chemical Name: ethoxylated alcohol  
Target Pest: mosquito larvae and pupae

Product Name: Altosid Pellets, Altosid XR, Altosid LL  
Chemical Name: Methoprene  
Target Pest: mosquito larvae

Product Name: Bactimos Briquets  
Chemical Name: *Bacillus thuringiensis* spp. *israelensis*  
Target Pest: mosquito larvae

Product Name: Vectolex-CG  
Chemical Name: *Bacillus sphaericus*  
Target Pest: mosquito larvae

Product Name: Pest Tab  
Chemical Name: Lambda-cyhalothrin  
Target Pest: scorpions (bunker use)

Product Name: Justice  
Chemical Name: Spinosad  
Target Pest: fire ants

Product Name: Amdro  
Chemical Name: Hydromethylnon  
Target Pest: fire ants

**Herbicides**

Product Name: Arsenal, Chopper  
Chemical Name: Imazapyr  
Target Pest: most annual and perennial grasses, broadleaf weeds, and woody species

Product Name: Round-up Pro, Round-up Ultra Max, Round-up Ultra Dry, Rodeo  
Chemical Name: Glyphosate  
Target Pest: non-selective post emergence herbicide that controls many terrestrial and aquatic weed species depending on the formulation

Product Name: Karmex DF, Diuron 4L  
Chemical Name: Diuron  
Target Pest: broad spectrum weed control on grasses and broadleaf weeds

Product Name: Escort  
Chemical Name: Metsulfuron-methyl  
Target Pest: post-emergent control of most broadleaf weeds, some annual grass weeds

Product Name: Oust  
Chemical Name: Sulfometuron-methyl  
Target Pest: annual and perennial grasses as well as broadleaf weeds

Product Name: Outrider  
Chemical Name: Sulfosulfuron  
Target Pest: annual and perennial grasses as well as broadleaf weeds

Product Name: Surflan  
Chemical Name: Oryzalin  
Target Pest: annual grasses and broadleaf weeds

Product Name: Banvel, Vanquish  
Chemical Name: Dicamba  
Target Pest: annual and perennial grasses, broadleaf weeds, and woody species

Product Name: Poast  
Chemical Name: Sethoxydim  
Target Pest: annual and perennial grasses

Product Name: Sahara DG  
Chemical Name: imazapyr/diuron  
Target Pest: annual and perennial grasses, broadleaf weeds, and woody species

Product Name: Hyvar XL  
Chemical Name: bromacil  
Target Pest: annual and perennial grasses, broadleaf weeds, and woody species

Product Name: Krovar IDF  
Chemical Name: bromacil/diuron  
Target Pest: annual and perennial grasses, broadleaf weeds, and woody species

Product Name: Sahara DG

Chemical Name: imazapyr/diuron

Target Pest: annual and perennial grasses, broadleaf weeds, and woody species

Product Name: Aquashade

Chemical Name: Acid Blue/Acid Yellow Dye

Target Pest: aquatic vegetation

Product Name: Reward

Chemical Name: Diquat Bibromide

Target Pest: aquatic vegetation

Product Name: Garlon 3A

Chemical Name: Triclopyr

Target Pest: Broadleaf weed species

## **Coneuch National Forest, AL**

### **NOTICE TO LESSEE NO. 3**

#### **National Forests in Alabama**

All or part of the leased lands may contain animal or plant species classified under the Endangered Species Act of 1973, as amended. Other species may have been identified as sensitive in accordance with Forest Service Manual 2670 and be listed on the current Regional Forester's List of Sensitive Plant and Animal Species. Further information concerning the classification of these species may be obtained from the authorized Forest Officer.

Exploration and development proposals may be limited or modifications required if activity is planned within the boundaries of a threatened, endangered or sensitive plant or animal species location as it then exists. All activities within these areas must be conducted in accordance with existing laws, regulations and the Forest Land and Resource Management Plan guidelines.

### **NOTICE TO LESSEE NO. 4**

#### **National Forest in Alabama**

All or part of the leased lands may be classified as wetlands in accordance with Executive Order 11990, "Protection of "Wetlands" or a floodplain in accordance with Executive Order No. 11988, "Floodplain Management." Additional management requirement for the protection of riparian areas are contained in 36 CFR 219.27 (e) and the National Forest Management Act of 1976.

All activities within these areas may require special measure to mitigate adverse impacts to the resource values. They must comply with the above referenced executive orders, regulations, laws and be in accordance with the Forest Land and Resource Management Plan guidelines.

Further information concerning the classification and management of these lands may be obtained from the authorized Forest Officer.

**Kisatchie National Forest, LA**

**LEASE NOTICE #3**

All or part of the leased lands may contain animal or plant species classified under the Endangered Species Act of 1973, as amended. Other species may have been identified as sensitive in accordance with Forest Service Manual 2670 and be listed on the current Regional Forester's list of sensitive plant and animal species. Further information concerning the classification of these species may be obtained from the authorized Forest officer.

Exploration and development proposals may be limited or modifications required if activity is planned within the boundaries of a threatened, endangered or sensitive plant or animal species location as it then exists. All activities within these areas must be conducted in accordance with existing laws, regulations and the Forest Land and Resource Management Plan guidelines.

All available land in **T10N R5W**, Louisiana Meridian

All available land in **T11N R5W**; Louisiana Meridian  
Section 4

*TO BE USED IF WETLANDS ARE OUTSIDE STREAMBED OR RIPARIAN ZONE*

**LEASE NOTICE NO. 4**

All or part of the leased lands may be classified as wetlands in accordance with Executive Order 11990, "Protection of Wetlands" or a floodplain in accordance with Executive Order No. 11988, "Floodplain Management." Additional management requirements for the protection of riparian areas are contained in 36 CFR 219.72 (e) and the National Forest Management Act of 1976.

All activities within these areas may require special measures to mitigate adverse impacts to the resource values. They must comply with the above referenced executive orders, regulations, laws and be in accordance with the Forest Land and Resource Management Plan guidelines.

Further information concerning the classification and management of these lands may be obtained from the authorized Forest Officer.

Lands in **T10N R5W**, Louisiana Meridian

Sections 8, 32

## Kisatchie National Forest, LA

### NO SURFACE OCCUPANCY STIPULATION #1

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

T10N R5W, Louisiana Meridian

Section	Legal Description	Estimated Acres
8	Tract in SESW; S/2SE	120.0
22	S/2SENE; N/2NESE	13.9
32	SWNW; W/2SE	5.9

For the purpose of:

Protection of Saline Lake, Jurisdictional Wetlands

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

## Kisatchie National Forest, LA

### CONTROLLED SURFACE USE STIPULATION #1

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

Placement of mineral extraction equipment, buildings, roads, ponds, and wellpads and the clearing of pipeline right-of-way vegetation are prohibited.

T10N R5W, Louisiana Meridian

Section	Legal Description	Estimated Acres
12	SESE	14.4
13	NWSW; SESW;SWSE	33.7
14	W/2SW; E/2SE	66.1
15	S/2SE	12.5
19	N/2SE	18.9
20	SWSW; NESW	18.6
22	N/2SE; SENE; E/2SWNE	35.9
23	ALL	159.8
24	E/2; NWNW	93.5
25	ALL	46.5
26	S/2SE	2.9
28	SW	17.0
32	SWNW; W/2SW; SESW; W/2SE	26.3
33	W/2; SENE; NESE	22.6
34	SWNE; S/2NW; SW; W/2SE	20.6
35	N/2NE	3.7
36	S/2NE; NENE	16.4

For the purpose of:

Streamside Zones

Any changes to this stipulation will be made in accordance with the land use plan and/or 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).

## Kisatchie National Forest, LA

### CONTROLLED SURFACE USE STIPULATION #2

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

Roads and clearing of right-of-way vegetation may occur if a site-specific environmental analysis determines that the mitigated environment effects would not be significant.

T10N R5W, Louisiana Meridian

Section	Legal Description	Estimated Acres
12	SESE	2.8
13	SESW; SWSE	35.6
14	E/2SE	21.9
15	S/2SE	11.7
22	SENE; E/2SWNE	8.2
23	ALL	73.1
24	NWNW; E/2	14.1
32	S/2SW;S/2SWSE	2.2
34	SWNE; S/2NW; SW; W/2SE	34.1

For the purpose of:

Riparian Zones

Any changes to this stipulation will be made in accordance with the land use plan and/or 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).

## Kisatchie National Forest, LA

### CONTROLLED SURFACE USE STIPULATION #1

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

Placement of mineral extraction equipment; buildings; roads; ponds; and well pads and the clearing of pipeline right-of-way vegetation are prohibited.

T11N R5W; Louisiana Meridian

Section	Legal Description	Estimated Acres
1	S/2	59.3
2	SESE	15.4
3	SESW	.4
4	NWSW	6.3
11	Pt of NENE; NWSE; SESW; SWSE	45.2
12	E/2NE; NW; NWSW; S/2SE	77.9
14	S/2NENE; NWNE; NENW;S/2SW	48.6
21	NESE	11.4
22	W/2 Saline Bayou	10.5
27	NESE	9.3

For the purpose of:

Protection of Streamside Habitat Protection Zones (SHPZS)

(Revised Land and Resource Management Plan, Forestwide Standards and Guidelines, Chapter 2, paragraph FW-225, page 2-25)

Any changes to this stipulation will be made in accordance with the land use plan and/or 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).

## Kisatchie National Forest, LA

### CONTROLLED SURFACE USE STIPULATION #2

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

Roads and clearing of right-of-way vegetation may occur if a site-specific environmental analysis determines that the mitigated environment effects would not be significant.

T11N R5W; Louisiana Meridian

Section	Legal Description	Estimated Acres
4	W/2	74.1
11	SESW; NESE; SWSE	23.5
12	S/2NW	5.7
14	S/2NENE; NWNE; NENW;S/2SW	29.8
21	NESE	6.5
22	W/2 Saline Bayou	4.8
27	NESE	2.7

For the purpose of:

Protection of Riparian Zones

(Revised Land and Resource Management Plan, Forestwide Standards and Guidelines, Chapter 2, paragraph FW-225, page 2-25)

Any changes to this stipulation will be made in accordance with the land use plan and/or 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).

## Kisatchie National Forest, LA

### CONTROLLED SURFACE USE STIPULATION #1

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

Placement of mineral extraction equipment, buildings, roads, ponds, and well pads and the clearing of pipeline right-of-way vegetation are prohibited.

T13N R6W, Louisiana Meridian

SECTION	LEGAL DESCRIPTION	APPROX. ACRES
1	ALL	50.6
2	N/2; N/2S/2	64.27
4	SW	51.17
5	S/2NENE; SENE; W/2NESE; S/2SE	37.4
8	E/2NE	16.92
9	NWNW	15.31
10	N/2SW; SWSW; SE; E/2SWNW; E/2W/2SWNW	102.14
11	N/2NE; N/2SWNE; SENE; NENW; SWNW; N/2SENE; SESE	53.56
12	W/2NE; NW; NESW; SWSW; N/2SE; SWSE	24.57
13	NE; SW	32.92
14	S/2S/2; NESE	41.13
15	N/2NWNW	10.05
23	NWNE; NESE; S/2SE	49.96
24	ALL	98.2
25	ALL	146.8
26	E/2; SENW; SW	121.74
27	ALL	155.95
28	N/2NE; S/2NW; SW; NWSE	66.47
32	N/2; N/2SE	95.07
33	N/2NE; W/2	107.07
34	N/2; N/2SW; SE	185.22
35	ALL	164.92
36	NWNE; S/2NE; W/2; SE	182.96

For the purpose of:

Protection of Streamside Habitat Protection Zones (SHPZS)  
(Revised Land and Resource Management Plan, Forestwide Standards and Guidelines, Chapter 2,  
paragraph FW-225, page 2-25)

Any changes to this stipulation will be made in accordance with the land use plan and/or 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).

## Michigan

### **Huron-Manistee National Forest** **Standard Lease Stipulations**

The lessee is notified and agrees:

All work and any operations authorized under this permit shall be done according to an approved operating plan on file with the Huron-Manistee National Forest at the appropriate District Ranger Office and/or Supervisor's Office at 1755 S. Mitchell St., Cadillac, MI 49601. Plans generally require a minimum of 45 days for Forest Service review (see Lease Notice No. 5). Bureau of Land Management must also review and also approve.

Operating plan will contain information the Forest Officer determines reasonable for assessment of (1) public safety, (2) environmental damage, and (3) protection for surface resources. Content of such plans will vary according to location and type of activity and may contain:

1. Steps taken to provide public safety.
2. Location and extent of areas to be occupied during operations.
3. Operation methods including size and type of equipment.
4. Capacity, character, standards of construction and size of all structures and facilities to be built.
5. Location and size of areas where vegetation will be destroyed or soil lay bare.
6. Steps taken to prevent and control soil erosion.
7. Steps taken to prevent water pollution.
8. Character, amount, and time of use of explosives or fire, including safety precautions during their use.
9. Program proposed for rehabilitation and revegetation of disturbed land.

Copies of all permits obtained from State or Federal agencies pertaining to work might be required. Archeological studies, if required, will accompany plan.

The Forest Supervisor or his/her designated agent has authority to temporarily suspend or modify operations in whole or in part due to emergency forest conditions such as high fire danger or other unsafe situations.

The lessee must keep the District Ranger informed about progress of operations to the extent reasonably necessary for assuring public safety. This is especially important with geophysical inventory and testing activities because of their mobile nature. The District Ranger will alert the lessee to circumstances, which may affect safe and efficient conduct of work activities.

Terms of this lease are considered violated if not done according to these stipulations.

See also Special Stipulations and Notifications

## Michigan

### *Huron Manistee National Forests*

#### **Lease Notices**

**Lease Notice #1)** Operations under this lease will be consistent with the Standards and Guidelines found in the Huron-Manistee National Forests Land and Resource Management Plan and hereby incorporated into this lease in their entirety.

**Lease Notice #2)** Surface disturbance will be limited to that necessary for reasonable, safe, and prudent extraction of the oil and gas. Measures will be implemented to minimize erosion and sedimentation. Road and stream crossings will be planned to eliminate stream crossings whenever practical.

**Lease Notice #3)** Processing of proposed surface use plans of operation on National Forest System lands includes site-specific analysis to determine effects to threatened, endangered, or sensitive species. This analysis may require surveys for certain plants and/or animals. Depending upon the species of concern, it may be necessary to survey through spring, summer, and fall. The extent of required surveys could delay permit issuance. Operators are encouraged to submit proposals as soon as possible to facilitate the scheduling of necessary survey work.

**Lease Notice #4)** All or portions of this lease parcel is located in Management Area 4.2, Roded Natural Sandy Plains and Hills (Huron-Manistee National Forests Land and Resource Management Plan). A reclamation plan for all wells, pipelines, production facilities, and access routes must be submitted to the Forest Line Officer in charge for approval. Disturbed areas will be restored after completion of drilling and/or production operations. Permanent vegetative cover will consist of a mixture of native warm season grasses. These will be scheduled for establishment just prior to the next growing season, generally late April, May, or early June.

**Lease Notice #5)** Lands included in this lease parcel are being managed as a wildlife emphasis area and occupancy is subject to more restrictive controls than routine areas.

**Lease Notice #6)** Portions of this lease parcel have had occurrences of certain threatened, endangered, or sensitive species or communities. At the time a drilling permit application or other request for surface use is filed, a site-specific review will be done to determine potential effects to these species. Depending upon the findings of the site-specific review, additional operating constraints, such as seasonal restrictions or re-location of the proposed wellsite, may be necessary to mitigate effects to threatened, endangered, or sensitive species or communities.

**Lease Notice #7)** Portions of this lease parcel contain known heritage resource sites. At the time a drilling permit application or other request for surface use is filed, a site-specific review will be done to determine potential effects to these sites. Depending upon the findings of the site-specific review, additional operating constraints, such as re-location of the proposed wellsite, may be necessary to mitigate effects to heritage resources.

**Lease Notice #8)** A portion of this lease parcel is in an area proposed for timber harvest activities. If oil and gas activities and timber harvesting are proposed concurrently, use conflicts between the oil and gas operator and timber purchaser would need to be resolved prior to issuance of a Federal drilling permit.

**Lease Notice #9)** Parcel is surrounded entirely by private land and access must be negotiated with adjacent landowners.

### **Lease Stipulations**

**Stipulation #1)** No surface occupancy is permitted on this parcel within 300 feet, measured at a perpendicular, from the normal high water mark of any river, stream, or lake. If site-specific examination determines that rivers, streams, or lakes do not exist on the lease parcel, this stipulation may be waived.

**Stipulation #2)** No surface occupancy is permitted on this parcel due to the presence of wetlands. If site-specific examination determines that wetlands do not exist on the lease parcel, this stipulation may be waived.

**Stipulation #3)** All or portions of this lease parcel are located in an area managed as Old Growth. In accordance with the Huron-Manistee National Forests' Forest Plan, no surface occupancy is permitted on this parcel due to the lack of existing reasonable access.

**Stipulation #4)** All or portions of this lease parcel are located in an area managed as Old Growth. Surface disturbing activities will take place outside of old growth where there are reasonable alternative locations. Due to the presence of existing reasonable access via roads/trails, surface occupancy is permitted, however, is limited to existing roads and trails.'

**Stipulation #5)** All or portions of this lease parcel are located in an area managed as a semi-primitive nonmotorized area. Production facilities will be located outside the area when practical and needed pumps will be run by electric motors or equipped to minimize noise.

**Stipulation #6)** This parcel is located in an area managed as a semi-primitive nonmotorized area. The Huron-Manistee National Forests' Forest Plan limits surface location density in these areas. The maximum surface development density in this area is 1 surface location per 640 acres.

**Stipulation #7)** This parcel is located in an area managed as a semi-primitive nonmotorized area. Roads must use existing transportation corridors when compatible, feasible, and practical.

**Stipulation #8)** This parcel is located within a Wild and Scenic River Corridor. No surface occupancy for oil and gas development will be permitted within this corridor.

**Stipulation #9)** All or portions of this lease parcel are located in potential Indiana bat habitat. Surface disturbing activities that involve tree removal will be prohibited between May 1, and August 31, if suitable Indiana bat habitat is found to be present. This stipulation may be waived if site-specific review of the proposal determines that suitable habitat is not present.

**Stipulation #10)** All or portions of this lease parcel are located within a 5-mile radius of Tippy Dam (Indiana bat hibernaculum). No surface occupancy will be permitted on all or portions of this lease for surface disturbing activities associated with site construction and/or oil and gas drilling between May 1, and October 20. This stipulation may be waived based on site-specific review of the proposal and identification of potential effects on the Indiana bat.

**Stipulation #11)** The North Country National Scenic Trail runs through all or portions of this lease parcel. No surface occupancy will be permitted for areas within 300 feet, measured at a perpendicular, from each side of the Trail. If site-specific examination determines that the North Country National Scenic Trail is not located on the lease parcel, this stipulation may be waived.

**Stipulation #12)** All or portions of this lease are located in an area of steep, fragile slopes. No surface occupancy is permitted on identified areas. This stipulation may be waived based on site-specific review of proposed location and soil types.

**Stipulation #13)** This parcel is located within the corridor of a Study Wild and Scenic River. No surface occupancy for oil and gas development will be permitted within this corridor.

**Stipulation #14)** All or portions of this lease are located near the River Road National Scenic Byway. No surface occupancy is permitted within 300 feet of the Byway.

**Stipulation #15)** All or portions of this lease are located in areas managed as Kirtland's warbler essential habitat. Surface location density restrictions as outlined below will apply in these areas:

<b>Age of Essential Habitat</b>	<b>Maximum Development Density</b>
0 to 25 years	1 surface location per 640 acres
26 to 40 years	1 surface location per 160 acres
Older than 40 years old	1 surface location per 640 acres

The priority for identifying surface locations are: 1) First priority will be stands (or inclusions of stands) that are not biologically appropriate for the development of breeding habitat for Kirtland's warbler; 2) Second priority will be stands within essential habitat that are greater than 26 years old; and 3) Third priority will be stands within essential habitat that are 0 to 25 years old. Exceptions may be granted through consultation with the Forest Service and the U.S. Fish and Wildlife Service.

No drilling, exploration, construction, or maintenance involving the use of heavy equipment shall take place within one-half mile of, or create noise greater than 85 decibels in occupied habitat, between May 1, and September 30. In occupied habitat, proven wells can be operated between October 1, and April 30, but between May 1, and September 30, only if they are flowing or operated by bottom-hole pump and 1) the product is transported by buried pipeline; 2) collection and storage facilities are located off essential habitat where reasonable; 3) noise from production operations will be less than 85 decibels at 100 feet; and 4) access is limited to routine monitoring of the well.

**Stipulation #16)** All or portions of this lease are located in an area designated as a Research Natural Area. No surface occupancy for oil and gas development is permitted in areas so designated.

**Stipulation #17)** All or portions of this lease are located in an area designated as a Candidate Research Natural Area. No surface occupancy for oil and gas development is permitted in areas so designated.

**Stipulation #18)** A portion of this lease tract includes a Forest administrative site. No surface occupancy for oil and gas development will be permitted in this area.

**Stipulation #19)** A portion of this lease tract includes a Forest developed recreation site. No surface occupancy for oil and gas development will be permitted in this area.

**Stipulation #20)** A portion of this lease tract is involved in the North American Long-Term Soil Productivity Study. Until completion of this study, no surface occupancy will be permitted on those portions of the lease tract that are included in this study.

**Stipulation #21)** This parcel contains lands designated as occupied Karner blue butterfly habitat. No surface occupancy for oil and gas development is permitted in areas so designated.

**Stipulation #22)** This parcel is located in an area managed as a semi-primitive motorized area. The Huron-Manistee National Forests' Forest Plan limits surface location density in these areas. The maximum surface development density in this area is 1 surface location per 160 acres. Production facilities will be located outside the area when practical and needed pumps will be run by electric motors or equipped to minimize noise.

**Stipulation #23)** This parcel is located in an area managed as a Special Area or contains sensitive communities. No surface occupancy for oil and gas development is permitted in areas so designated.

**Stipulation #24)** No surface occupancy will be permitted for areas within 300 feet, measured at a perpendicular, from each side of existing and/or planned Visual Sensitivity Level 1 trails within the lease parcel. In areas with a high concentration of trails, this may preclude occupancy on the entire parcel.

USDA – FOREST SERVICE  
STANDARD STIPULATIONS –LEASE  
(FSM 2820)

**National Forest: Wayne**

The lessee is notified and agrees:

All work and any operations authorized under this lease shall be done according to an approved operating plan on file with the **Forest Supervisor at USDA Forest Service, 13700 US Highway 33, Nelsonville, Ohio 45764**. Plans generally require a minimum of 45 days for Forest Service review. Bureau of Land Management must also review and also approve.

Operating plan will contain information the Forest Officer determines reasonable for assessment of (1) public safety, (2) environmental damage, and (3) protection for surface resources. Content of such plans will vary according to location and type of activity and may contain:

1. Steps taken to provide public safety.
2. Location and extent of areas to be occupied during operations.
3. Operation methods including size and type of equipment.
4. Capacity, character, standards of construction and size of all structures and facilities to be built.
5. Location and size of areas where vegetation will be destroyed or soil lay bare.
6. Steps taken to prevent and control soil erosion.
7. Steps taken to prevent water pollution.
8. Character, amount, and time of use of explosives or fire, including safety precautions during their use.
9. Program proposed for rehabilitation and revegetation of disturbed land.

Copies of all permits obtained from State or Federal agencies pertaining to work might be required. Archeological studies, if required, will accompany plan.

The Forest Supervisor or his/her designated agent has authority to temporarily suspend or modify operations in whole or in part to emergency forest conditions such as high fire danger or other unsafe situations.

The lessee must keep the **District Ranger** informed about progress of operations to the extent reasonably necessary for assuring public safety. This is especially important with geophysical inventory and testing activities because of their mobile nature. The lessee will alert the **District Ranger** to circumstances which may affect safe and efficient conduct of work activities.

Terms of this lease are considered violated if not done according to these stipulations.

See Special Stipulations & Notifications  
**OIL AND GAS LEASE STIPULATIONS/NOTIFICATIONS**  
**Wayne National Forest, Ohio**

## Wayne National Forest, OH Appendix H – Lease-specific Oil/Gas Notifications/Stipulations

### Appendix H

## Lease-specific Oil and Gas Notifications/Stipulations

### Introduction

The following notifications and stipulations implement the standards and guidelines of the Wayne National Forest's 2006 Land and Resource Management Plan (Forest Plan). These are in addition to the standard lease terms for oil and gas leases (BLM Form 3100-11). Not all of these notifications and stipulations are applied to every lease, rather, only those that are relevant based on site conditions. These notifications and stipulations are necessary to protect specific resource values on the lease area. They may be made less restrictive or modified for site-specific situations if such change is found to be in the public interest. These notifications and stipulations may be made less restrictive or modified only after a formal analysis has been completed and specifically approved in writing by a Forest Service line officer.

### Notifications

#### Special Notification #1

Operations under this lease will be consistent with all the standards and guidelines found in the Wayne National Forest's 2006 Land and Resource Management Plan and are hereby incorporated into this lease in its entirety. Forest Plan standards and guidelines may restrict location, timing, and methodology of oil and gas lease operations. Special surveys for protection of National Forest System land and resources will be required. A copy of the WNF's 2006 Land and Resource Management Plan is available from the following website <http://www.fs.fed.us/r9/wayne/> or by writing to:

Forest Supervisor  
Wayne National Forest  
13700 US HWY 33  
Nelsonville, OH 45764

#### Notification #1

##### Cultural Resources

The Forest Service is responsible for assuring the area to be disturbed is examined for cultural resources prior to allowing surface disturbing activities on lands covered by this lease. Important cultural resource values may be present on portions of a lease. Surface disturbing activities must avoid these areas unless the authorized officer agrees to the mitigation measures. The lessee/operators may, at their discretion and cost, conduct the examination on the lands to be disturbed. This examination must be done by or under the supervision of a qualified resource specialist approved by the Forest Service. An acceptable report must be provided to the Forest Service identifying the anticipated effects of the proposed action on cultural resource values.

If items of substantial archaeological or paleontological values are discovered during operations, or a known deposit of such items is disturbed, the lessee (or operator) will cease work in the affected area. The lessee (or operator) will then notify the Forest Service and will not resume excavation until the Forest Supervisor gives written approval.

## Notification #2

### Floodplains

Any activities proposed in, or likely to affect a floodplain will be subject to:

- Analysis and identification of alternate sites
- Public notification and comment period
- Provisions of any other Federal, State or local laws and regulations as required under presidential Executive Order 11988, Protection of Floodplains.

## Notification #3

### Protection of Federally Listed Endangered and Threatened, and Regional Sensitive Species and Their Habitats

The Forest Service is responsible for assuring that the area to be disturbed is examined prior to allowing any surface disturbing activities on lands covered by this lease. The examination is to determine effects upon any plant or animal species listed, or proposed for listing, as Federal endangered or threatened, regional sensitive, and their habitats. If the findings of this examination determine that the operation(s) may have a detrimental effect on a species covered by the Federal Endangered Species Act, the operator's plans may be denied or restrictions added. The presence of regional sensitive species may also require some restrictions of the operation(s). The Forest Service has the responsibility to conduct the required examination. In cases where the Forest Service time frames cannot meet the needs of the lessee/operator, the lessee/operator may, at his discretion and cost, conduct the examination on the lands to be disturbed. This examination must be done by or under the supervision of a qualified resource specialist approved by the Forest Service. An acceptable report must be provided to the Forest Service identifying the anticipated effects of the proposed action on Federal endangered or threatened species, regional sensitive species, or their habitats.

## Notification #4

### Compliance with Public Laws and Federal Regulations

Operators are required to comply with all public laws and Federal regulations that apply to National Forest System lands and the Wayne National Forest's 2006 Land and Resource Management Plan.

## Notification #5

### Steep Slopes and/or Unstable Soils

The area of this lease contains a considerable amount of land with steep slopes and/or unstable soils. Accordingly, the opportunity to locate access roads, drilling sites, pipelines, storage tanks and other improvements may be extremely limited.

## Management Areas Requiring Special Stipulations

### Stipulation #1

#### No Surface Occupancy – Future Old Forest

No surface occupancy allowed on the entire lease or on designated areas of the lease (see lease map) for the protection of the Future Old Forest resources. On National Forest System land in Future Old Forest Management Areas, the Forest Service will issue leases for Federal oil and gas only with a No Surface Occupancy (NSO) stipulation. In the case of Federal leases issued pursuant to the Comprehensive National Energy Policy Act of 1992, the Forest Service will recommend to the Bureau of Land Management that operations be allowed to continue provided that all activities comply with Forest guidance. When the existing well (or wells) is depleted, all facilities must be removed and the site rehabilitated to Forest Service standards. No new wells will be allowed, nor will existing wells be allowed to be drilled to deeper formations. The NSO stipulation does not apply to reserved or outstanding mineral rights.

### Stipulation #2

#### No Surface Occupancy – Research Natural Areas

No surface occupancy within designated areas of the lease (see lease map) for the protection of natural processes or research, historical, or educational values. On National Forest System land in Research Natural Area Management Areas, the Forest Service will issue leases for Federal oil and gas only with a No Surface Occupancy (NSO) stipulation. In the case of Federal leases issued pursuant to the Comprehensive National Energy Policy Act of 1992, the Forest Service will recommend to the Bureau of Land Management that operations be allowed to continue provided that all activities comply with Forest guidance. When the existing well (or wells) is depleted, all facilities must be removed and the site rehabilitated to Forest Service standards. No new wells will be allowed, nor will existing wells be allowed to be drilled to deeper formations. The NSO stipulation does not apply to reserved or outstanding mineral rights.

### Stipulation #3

#### No Surface Occupancy – Special Areas

No surface occupancy within designated areas of the lease (see lease map) to protect natural processes or research, historical or educational values. On National Forest System land in Special Interest Management Areas, the Forest Service will issue Federal oil and gas leases only with a No Surface Occupancy (NSO) stipulation. In the case of Federal leases issued pursuant to the Comprehensive National Energy Policy Act of 1992, the Forest Service will recommend to Bureau of Land Management that operations be allowed to continue provided that all activities comply with Forest guidance. When the existing well (or wells) is depleted, all facilities must be removed and the site rehabilitated to Forest Service standards. No new wells will be allowed, nor will existing wells be allowed to be drilled to deeper formations. The NSO stipulation does not apply to reserved or outstanding mineral rights.

### Stipulation #4

#### No Surface Occupancy – Candidate Areas

No surface occupancy within designated areas of the lease (see lease map) for the protection of natural processes or research, historical or educational values. On National Forest System lands in Candidate Research Natural Management Areas, the Forest Service will only issue Federal oil

and gas leases that have a No Surface Occupancy (NSO) stipulation. In the case of Federal leases issued pursuant to the Comprehensive National Energy Policy Act of 1992, the Forest Service will recommend to Bureau of Land Management that operations be allowed to continue provided that all activities comply with Forest guidance. When the existing well (or wells) is depleted, all facilities must be removed and the site rehabilitated to Forest Service standards. No new wells will be allowed, nor will existing wells be allowed to be drilled to deeper formations. The NSO stipulation does not apply to reserved or outstanding mineral rights.

#### Stipulation #5

##### No Surface Occupancy - Administrative Sites, and Developed Recreation Areas, Trails and Associated Trailheads

No surface occupancy within designated areas of the lease (see lease map) to protect special management units such as developed recreation areas, trails and associated trailheads, water supply facilities, administrative site, etc. On National Forest System land within administrative sites, developed recreation areas, trails and associated trailheads, the Forest Service will issue leases for Federal oil and gas only with a No Surface Occupancy (NSO) stipulation. The NSO designation will include a buffer zone, which will be determined in accordance with the Implementation Guide for Scenery Management. In the case of Federal leases issued pursuant to the Comprehensive National Energy Policy Act of 1992, the Forest Service will recommend to the Bureau of Land Management that operations be allowed to continue provided that all activities comply with Forest guidance. When the existing well (or wells) is depleted, all facilities must be removed and the site rehabilitated to Forest Service standards. No new wells will be allowed, nor will existing wells be allowed to be drilled to deeper formations. The NSO stipulation does not apply to reserved or outstanding mineral rights.

#### Stipulation #6

##### No Surface Occupancy – Timbre Ridge Lake

No surface occupancy within designated areas of the lease (see lease map) for the protection of the Timbre Ridge Lake Management Area. On National Forest System land in the Timbre Ridge Lake Management Area, the Forest Service will issue Federal oil and gas leases only with a No Surface Occupancy (NSO) stipulation. In the case of Federal leases issued pursuant to the Comprehensive National Energy Policy Act of 1992, the Forest Service will recommend to Bureau of Land Management that operations be allowed to continue provided that all activities comply with Forest guidance. When the existing well (or wells) is depleted, all facilities must be removed and the site rehabilitated to Forest Service standards. No new wells will be allowed, nor will existing wells be allowed to be drilled to deeper formations. The NSO stipulation does not apply to reserved or outstanding mineral rights.

#### Resources Requiring Special Stipulations

##### Stipulation #7

##### No Surface Occupancy – Cultural Resource Areas of Known Significance

No surface occupancy is allowed within archaeological or historical sites of known significance (see lease map). At the time of any new proposed lease developments, a Forest Service archeologist shall determine the need for any setbacks or restrictions for the protection of objects of historic or scientific interest.

### Stipulation #8

#### No Surface Occupancy – Slopes in Excess of 55 Percent

No surface occupancy is allowed on slopes in excess of 55 percent (see lease map) to protect soil and water from erosion and mass failure hazards because of steep slopes.

### Stipulation #9

#### No Surface Occupancy – Areas of Mass Soil Instability

No surface occupancy is allowed for the exploration and development of energy minerals on areas with mass soil instability, as defined by the USDA County Soil Surveys (see lease map).

### Stipulation #10

#### No Surface Occupancy – Hibernacula

No surface occupancy within ¼ mile of all known Indiana bat hibernacula.

### Stipulation #11

#### Controlled Surface Use – Areas of Land with a Scenic Integrity Objective of ‘High’ or ‘Moderate’

At the time of any new proposed lease developments, the responsible line officer shall determine the need for any visual quality mitigation. Some examples of mitigation may include special design and reclamation measures, transplanting trees and shrubs, fertilization, mulching, special erosion control structures, irrigation, site recontouring to match the original land contour, low profile equipment and painting to minimize contrast. Surface occupancy may also be limited or denied in sensitive areas, such as unique geologic features and rock formations, visually prominent areas such as designated trails and developed recreation sites.

### Stipulation #12

#### Controlled Surface Use – Known Locations of Federally Listed Species

No cutting of snags (trees with less than 10% live canopy), shagbark or shellbark hickories, or trees that are hollow and/or have major splits or broken tops, except during the bat hibernation season (September 15 through April 15). If such trees are a safety hazard, they may be cut anytime they pose an imminent threat to human safety, but if cut in the nonhibernation season the Forest Service biologist must be notified in advance. This stipulation applies only to trees over six inches in diameter. Protect all supercanopy trees or other identified congregation roost trees for bald eagles along major river corridors and lakes. Protect known nests and roosts as described in the Bald Eagle Recovery Plan, or as directed by the U.S. Fish and Wildlife Service. Prior to any surface disturbing activities a Forest Service biologist will conduct an assessment for potential American burying beetle habitat and occurrence. Occupancy restrictions will be determined at the time of the evaluation.

### Stipulation #13

#### Controlled Surface Use – Known Locations of Regional Forester Sensitive Species.

Controlled surface use may include setbacks or restrictions from portions of the lease to ensure protection of habitat for regional sensitive species. At the time of any new proposed lease

developments, the responsible line officer shall determine the need for any setbacks or restrictions, or the need for timing-related stipulation in accordance with the aquatic and terrestrial wildlife and botanical resources standards and guidelines. The leaseholder and Forest Service inspector shall work together to identify locations for development and production facilities in order to protect the structural integrity of large old trees found on a portion of the tract.

#### **Stipulation #14**

##### **Controlled Surface Use – Managed Wildlife Openings**

At the time of any new proposed lease developments, the responsible line officer shall determine the extent of the surface use restrictions necessary to maintain habitat integrity for plant and animal species dependent on such habitats.

#### **Stipulation #15**

##### **Controlled Surface Use – Riparian Areas**

At the time of any new proposed lease developments, the responsible line officer shall determine the appropriate surface use restrictions necessary to maintain the structural and ecological integrity of riparian areas, and aquatic and riparian-dependent species viability.

#### **Stipulation #16**

##### **Controlled Surface Use – Portions of Floodplains Outside Riparian Areas**

Oil and gas activities may be allowed within that portion of a floodplain outside riparian areas. Mineral activities will be evaluated on a case-by-case basis, and appropriate mitigation measures will be applied. The leaseholder and Forest Service inspector shall work together to identify locations for roads, pipelines, well pads and production facilities.

#### **Stipulation #17**

##### **Controlled Surface Use - Slopes Between 35 and 55 Percent**

Oil and gas activities will be allowed on slopes from 35 to 55 percent on a case-by-case basis with appropriate mitigation. New road construction and maintenance shall be planned to disturb the least amount of ground. The leaseholder and Forest Service inspector shall work together to identify locations for roads, pipelines, well pads, and production facilities.

#### **Stipulation #18**

##### **Controlled Surface Use - Cemetery**

There is a reservation for use of ¼ acre for a cemetery. No surface disturbance on the cemetery.

**Parcel Nos. ES-031-12/10 OHES 56558, ES-032-12/10 OHES 56559, ES-033-12/10, OHES 56560.**

**BLM LEASE NOTICE  
WAYNE NATIONAL FOREST, OHIO**

1. The lease tract may contain an abandoned oil and gas well(s). Detailed well information and legal ownership of this well(s) either has not been researched or is not known at this time. All past leases associated with this well(s) and the lease tract are believed to have expired. No right, title, or interest in any such well(s) is conferred by this Federal lease. If the Federal lessee wishes to obtain any rights to the well(s) and produce the same under the terms of the Federal lease and Federal oil and gas operating regulations, he/she shall independently take appropriate measures to assure his/her legal interest in the well(s). Any such well(s) reworked and/or placed into production by the Federal lessee shall then be considered by the Bureau of Land Management as being the responsibility of the Federal lessee and subject to the terms of the Federal lease.

2. The Federal Government does not record Federal leases in the lease records of local counties. Any local recording of Federal leases is the responsibility of the Federal lessee.

**Parcel No. ES-033-12/10 OHES 56560 ACQ**

**BLM Lease Notice for Parcel No. ES-033-12/10 OHES 56560  
Wayne National Forest, Ohio**

The lands within this parcel contain three oil and gas wells, the Ervin #3, Nezom #2, and Triple B, which are owned by William B. Fouts. Issuance of a lease for this parcel will not legally transfer the ownership of these wells, or any right to produce them, to any other party. Ownership of, or the right to produce, the Ervin #3, Nezom #2 and Triple B wells can only be obtained by engaging in successful negotiations with William B. Fouts, and the responsibility for successful negotiations would lie entirely between William B. Fouts and any other party interested in the wells.

Contact information for William B. Fouts can be provided by the Bureau of Land Management's Milwaukee Field Office.

The Ervin #3 well (also known as the Ervin Thomas #3 well), API # 34-127-26027-0000, is located 320' FSL and 430' FWL of the NW Quarter of the SE Quarter of Section 32, T. 12 N., R. 14 W., Ohio River Survey, Monroe Township, Perry County, Ohio. The approximate latitude/longitude for this well is 82 degrees, 7 minutes, 20.546 seconds West, 39 degrees, 33 minutes, 31.754 seconds North.

The Nezom #2 well is located in the NE1/4SE1/4SW1/4, Section 33, T.12N., R.14W., Ohio River Survey, Monroe Township, Perry County, Ohio. The API number for this well has not been assigned yet. The approximate latitude/longitude for this well is 82 degrees, 6 minutes, 22.453 seconds West, 39 degrees 33 minutes, 24.488 seconds North.

The Triple B well (also known as the Irvin #1 well), API # 34-127-27373-0000, is located 545' FSL and 1,070' FWL of the NW Quarter of Section 33, T. 12 N., R. 14 W., Ohio River Survey, Monroe Township, Perry County, Ohio. The approximate latitude/longitude for this well is 82 degrees, 6 minutes, 39.758 seconds West, 39 degrees, 33 minutes, 44.273 seconds North.

See Map, Attachment xx (attach location map from Forest Service consent package)