

Stipulation Number	Stipulation Name/Brief Description
CSU 12-5	<p>CONTROLLED SURFACE USE STIPULATION</p> <p>Surface occupancy or use would be subject to the following special operating constraint: No disturbance of Riparian areas of wetlands, intermittent, ephemeral, or perennial streams and rivers would be allowed except for essential road and utility crossings.</p>
Cultural Resources 16-1	<p>CULTRURAL RESOURCES LEASE STIPULATION</p> <p>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.</p>
Lease Notice 14-11	<p>LEASE NOTICE</p> <p>The lease may in part, or in total contain important Greater Sage-Grouse habitats as identified by the BLM, either currently or prospectively. The operator may be required to implement specific measures to reduce impacts of oil and gas operations on the Greater Sage-Grouse populations and habitat quality. Such measures shall be developed during the application for permit to drill on-site and environmental review process and will be consistent with the lease rights granted.</p>
Lease Notice 14-12	<p>LEASE NOTICE</p> <p>Paleontological resource inventory requirement: surface occupancy or use is subject to the following special operating constraints: the lessee/operator is given notice that this lease has been identified as being located within geologic units rated as being moderate to very high potential for containing significant paleontological resources. The locations identified meet the conditions 1 and/or 2 as set forth in the potential fossil yield classification system, IM 2008-009, Attachment 2-2. The BLM is responsible for assuring that the leased lands are examined to determine if paleontological resources are present and to specify mitigation measures. Guidance for application of this requirement can be found in IM 2008-009, 10/15/2007 and IM 2009-011, 10/10/2008. The project proponent may be required to conduct a paleontological inventory prior to any surface disturbance. If inventory is required, the project proponent must engage the services of a qualified paleontologist, acceptable to the BLM, to conduct the inventory. An acceptable inventory report is to be submitted to the BLM for review and approval at the time a surface-disturbing plan of operations is submitted. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or project proponent shall contact the BLM to determine if a paleontological resource inventory is required. if an inventory is required then;</p> <ol style="list-style-type: none"> 1.) The lessee or project proponent will complete the required inventory. The lessee or project proponent may engage the services of a paleontological resource consultant acceptable to the BLM to conduct a paleontological resource inventory of the area of proposed surface disturbance. The project proponent will, at a minimum, inventory a 10-acre area or larger to incorporate possible project relocation which may result from environmental or other resource considerations. 2.) Paleontological inventory may identify resources that may require mitigation to the satisfaction of the BLM as directed by IM 2009-011, 10/10/2008.

Lease Notice 14-15	LEASE NOTICE The lease area may contain habitat for the federal candidate Sprague's pipit. The operator may be required to implement specific measures to reduce impacts of oil and gas operations on Sprague's pipits, their habitat, and overall population. Such measures would be developed during the application for permit to drill and environmental review processes, consistent with lease rights. If the USFWS lists the Sprague's pipit as threatened or endangered under ESA, BLM would enter into formal consultation on proposed permits that may affect the Sprague's pipit and its habitat. Restrictions, modifications, or denial of permits could result from the consultation process.
NSO 11-33	NO SURFACE OCCUPANCY STIPULATION No surface occupancy (NSO) or use would be allowed within 200 feet of wetlands, lakes, and ponds.
NSO 11-35	NO SURFACE OCCUPANCY STIPULATION No surface occupancy (NSO) would be allowed within one-fourth mile of active Sage Grouse strutting grounds.
NSO 11-38	NO SURFACE OCCUPANCY STIPULATION No surface occupancy (NSO) or use would be allowed within one-half mile of Golden Eagle nests known to have been occupied at least once within the seven previous years.
NSO 11-39	NO SURFACE OCCUPANCY STIPULATION No surface occupancy (NSO) of those lands within the floodplain of the Missouri River.
NSO 11-59	NO SURFACE OCCUPANCY STIPULATION Surface occupancy and use is prohibited within Solberg Waterfowl Protection Area (FWS lands).
Standard 16-3	STANDARD LEASE STIPULATIONS See Attachment 1.
TES 16-2	ENDANGERED SPECIES ACT SECTION 7 CONSULTATION STIPULATION The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development, and require modifications to or disapprove proposed activity that is likely to result in jeopardy to proposed or listed threatened or endangered species or designated or proposed critical habitat.
TL 13-17	TIMING LIMITATION STIPULATION No surface use would be allowed within two miles of active strutting grounds during the following time period: March 1 to June 15.
TL 13-21	TIMING LIMITATION STIPULATION No surface use would be allowed within one-half mile of occupied Golden Eagle nests during the following time period: February 15 to July 15
TL 13-22	TIMING LIMITATION STIPULATION No surface use would be allowed for Elk calving during the following time period: June 1 to July 1
TL 13-23	TIMING LIMITATION STIPULATION No surface use would be allowed on Elk winter range during the following time period: November 30 to May 1.
COE 18-1	CORPS OF ENGINEERS - Agency Lease Stipulation
COE 18-2	CORPS OF ENGINEERS - Agency Lease Stipulation
COE 18-7	CORPS OF ENGINEERS - Agency Lease Stipulation

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Land Management
5001 Southgate Drive
Billings, Montana 59101-4669

OIL AND GAS LEASE STIPULATIONS

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

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

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

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

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

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

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

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

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

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

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

See Notice on Back

NOTICE

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

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

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

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

ENDANGERED OR THREATENED SPECIES--The SMA is responsible for assuring that the leased land is examined prior to undertaking any surface-disturbing activities to determine effects upon any plant or animal species, listed or proposed for listing as endangered or threatened, or their habitats. The findings of this examination may result in some restrictions to the operator's plans or even disallow use and occupancy that would be in violation of the Endangered Species Act of 1973 by detrimentally affecting endangered or threatened species or their habitats. The lessee/operator may, unless notified by the authorized officer of the SMA that the examination is not necessary, conduct the examination on the leased lands at his discretion and cost. This examination must be done by or under the supervision of a qualified resources specialist approved by the SMA. An acceptable report must be provided to the SMA identifying the anticipated effects of a proposed action on endangered or threatened species or their habitats.

Standard 16-3