



U.S. Army Corps of Engineers
Omaha District

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

1. All construction activities and maintenance within an existing right-of-way (ROW) are predicated upon the obtaining of written approval from the owner or Lessee of said ROW. Following written permission, the Lessee is responsible to return the ROW to its original condition as well as maintain responsibility for any future ROW reconstruction or maintenance needs resulting from activities unless released from liability by the applicable easement owner or lessee.
2. The Lessee must demonstrate that reasonable access to their mineral rights will be hampered if an existing ROW cannot be utilized.

On the lands described below:

For the purpose of:

To minimize surface impacts and adverse effects to environmental resources.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes.

Exception: An exception may be granted by USACE if the Lessee submits a plan demonstrating the impacts to the values being protected can be adequately mitigated.

Modification: NONE

Waiver: NONE