

CONTROLLED SURFACE USE STIPULATION

CULTURAL OR PALEONTOLOGICAL LOCALITIES INVENTORY

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

Prior to any surface disturbance, an inventory of those portions of the leased lands subject to proposed disturbance may be required to determine if cultural resources are present and to identify needed mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator shall:

1. Contact the Surface Management Agency (SMA) to determine if a cultural resource inventory is required. If an inventory is required, then:
2. The SMA will complete the required inventory; or the lessee or operator, at their option may engage the services of a cultural resource consultant 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 standard ten-acre minimum 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 data recovery and extensive recordation. Where impacts to cultural resources cannot be mitigated to the satisfaction of the SMA, surface occupancy on that area must be prohibited. The lessee or operator shall immediately bring to the attention of the SMA any cultural resources discovered as a result of approved operations under this lease and shall not disturb such discoveries until directed to proceed by the SMA.

On the lands described below:

For the purpose of:

Ensure compliance with Section 106 of the National Historic Preservation Act required for all actions which may affect cultural properties eligible to the National Register of Historic Places. Section 6 of the oil and gas lease terms (Form 3100-11) requires that operations be conducted in a manner that minimizes adverse impacts to cultural and other 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: NONE

Modification: NONE

Waiver: NONE

CSU 12-8
Dillon Field Office