

NOTICE TO LESSEE

Provisions of the Mineral Leasing Act (MLA) of 1920, as amended by the Federal Coal Leasing Amendments Act of 1976, affect an entity's qualifications to obtain an oil and gas lease. Section 2(a)(2)(A) of the MLA, 30 U.S.C. 201(a)(2)(A), requires that any entity that holds and has held a Federal coal lease for 10 years beginning on or after August 4, 1976, and who is not producing coal in commercial quantities from each such lease, cannot qualify for the issuance of any other lease granted under the MLA. Compliance by coal lessees with Section 2(a)(2)(A) is explained in 43 CFR 3472.

In accordance with the terms of this oil and gas lease with respect to compliance by the initial lessee with qualifications concerning Federal coal lease holdings, all assignees and transferees are hereby notified that this oil and gas lease is subject to cancellation if: (1) the initial lessee as assignor or as transferor has falsely certified compliance with Section 2(a)(2)(A) or (2) because of a denial or disapproval by a State Office of a pending coal action, i.e., arms-length assignment, relinquishment, or logical mining unit, the initial lessee as assignor or as transferor is no longer in compliance with Section 2(a)(2)(A). The assignee or transferee does not qualify as a bona fide purchaser and, thus, has no rights to bona fide purchaser protection in the event of cancellation of this lease due to noncompliance with Section 2(a)(2)(A).

Information regarding assignor or transferor compliance with Section 2(a)(2)(A) is contained in the lease case file as well as in other Bureau of Land Management records available through the State Office issuing this lease.

NOTICE TO LESSEE
ENDANGERED SPECIES ACT
SECTION 7 CONSULTATION

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 modifications 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, 16 USC § 1531 et seq., as amended, including completion of any required procedure for conference or consultation.

NOTICE TO LESSEE
CULTURAL RESOURCES AND TRIBAL CONSULTATION

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 (e.g., State Historic Preservation Officer (SHPO) and tribal consultation) under applicable requirements of the NHPA and other authorities. 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.

NO SURFACE OCCUPANCY STIPULATION
WETLANDS AND RIPARIAN AREAS

No Surface Occupancy: Surface occupancy will not be allowed within 650 feet (horizontal measurement) of any surface water bodies, riparian areas, wetlands, playas or 100-year floodplains to protect the integrity of these resources (as indicated by the presence of riparian vegetation and not actual water). Exceptions to this restriction may be considered on a case-by-case basis if the BLM determines at least one of the following conditions apply: 1) additional development is proposed in an area where current development has shown no adverse impacts, 2) suitable off-site mitigation will be provided if habitat loss is expected, or 3) BLM determines development proposed under any plan of operations ensures adequate protection of the resources. This buffer may be greater as determined by the WFO, in order to sufficiently protect riparian areas against adverse impacts such as increased sedimentation, impacts to water quality and quantity and loss of riparian vegetation.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|--------------------------------------------------------------------------------------------------|
| NV-11-12-004 | ALL LANDS |
| NV-11-12-005 | ALL LANDS |
| NV-11-12-006 | ALL LANDS |
| NV-11-12-007 | ALL LANDS |
| NV-11-12-008 | ALL LANDS |
| NV-11-12-012 | T.0270N, R.0360E, 21 MDM, NV Sec. 029, PROT ALL; Sec. 032, PROT W2, NE. |
| NV-11-12-014 | ALL LANDS |
| NV-11-12-015 | ALL LANDS |
| NV-11-12-016 | T.0270N, R.0360E, 21 MDM, NV Sec. 019, PROT ALL; Sec. 020, PROT ALL; Sec. 021, PROT W2. |
| NV-11-12-017 | ALL LANDS |
| NV-11-12-018 | ALL LANDS |

NO SURFACE OCCUPANCY STIPULATION
SAGE-GROUSE PMU

No Surface Occupancy: No surface occupancy in occupied sage-grouse Population Management Units.

PARCEL

DESCRIPTION OF LANDS

NV-11-12-009

T.0300N, R.0350E, 21 MDM, NV
Sec. 001, LOT 1.

NSO-020-7

NO SURFACE OCCUPANCY STIPULATION
JUMBLED ROCK PETROGLYPHS

No Surface Occupancy: No surface use is allowed on the land described below (legal description or other description):

Jumbled Rock Petroglyphs

For the purpose of:

- a. Preserving a significant archaeological site.
- b. Preserving a site important to maintaining local Native Americans historical identity and traditional believes.

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

PARCEL

DESCRIPTION OF LANDS

NV-11-12-141

T.0100N, R.0520E, 21 MDM, NV
Sec. 029, ALL.

NO SURFACE OCCUPANCY STIPULATION
LUNAR CRATER SPECIAL RECREATION MANAGEMENT AREA

No Surface Occupancy: No surface occupancy is allowed on the land described below (legal description or other description):

Lunar Crater Special Recreation Management Area

For the purpose of:

Protecting the Lunar Crater National Natural Landmark and preserving the recreational and scenic values and special geologic features of the Lunar Crater Special Recreation Management Area.

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

PARCEL

DESCRIPTION OF LANDS

NV-11-12-116

T.0070N, R.0520E, 21 MDM, NV
Sec. 027, PROT E2;
Sec. 034, PROT E2.

NSO-065-3

TIMING LIMITATION STIPULATION
SAGE-GROUSE WINTER HABITAT

No surface occupancy: No surface use is allowed during the following time period(s). This stipulation does not apply to operations and maintenance of production facilities.

Sage Grouse Winter Habitat

Sage grouse winter habitat from February 15 through May 15.

For the purpose of:

Protection of sage grouse winter habitat and during periods of stress for the birds, Tonopah RMP, p. 8 and Plan Maintenance Sheet 3.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. For guidance on the use of the stipulation, see BLM Manual 1624 and 3103.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|---------------------------------------------------------------------------------------------------------------|
| NV-11-12-019 | ALL LANDS |
| NV-11-12-020 | T.0030N, R.0490E, 21 MDM, NV Sec. 003, LOTS 1-2; Sec. 003, S2NE, SE; Sec. 009, E2; Sec. 010, ALL. |
| NV-11-12-022 | ALL LANDS |
| NV-11-12-023 | ALL LANDS |
| NV-11-12-024 | T.0030N, R.0490E, 21 MDM, NV Sec. 017, ALL; Sec. 019, LOTS 1-4; Sec. 019, NE, E2W2. |
| NV-11-12-025 | ALL LANDS |
| NV-11-12-032 | T.0040N, R.0490E, 21 MDM, NV Sec. 025, S2; Sec. 026, ALL; Sec. 035, E2,SW; Sec. 036, ALL. |

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| NV-11-12-038 | T.0060N, R.0490E, 21 MDM, NV Sec. 006, LOTS 1-7; Sec. 006, S2NE, SENW, E2SW, SE; Sec. 007, LOTS 1-4; Sec. 007, E2, E2W2; Sec. 018, LOTS 1; Sec. 018, NENW. |
| NV-11-12-042 | T.0040N, R.0492E, 21 MDM, NV Sec. 035, PROT ALL; Sec. 036, PROT ALL. |
| NV-11-12-047 | T.0030N, R.0500E, 21 MDM, NV Sec. 002, PROT W2; Sec. 003, PROT ALL. |
| NV-11-12-048 | ALL LANDS |
| NV-11-12-049 | ALL LANDS |
| NV-11-12-050 | T.0030N, R.0500E, 21 MDM, NV Sec. 010, PROT ALL; Sec. 011, PROT ALL. |
| NV-11-12-051 | T.0030N, R.0500E, 21 MDM, NV Sec. 014, PROT ALL; Sec. 023, PROT ALL. |
| NV-11-12-052 | ALL LANDS |
| NV-11-12-053 | ALL LANDS |
| NV-11-12-054 | T.0030N, R.0500E, 21 MDM, NV Sec. 025, PROT W2; Sec. 026, PROT ALL; Sec. 035, PROT ALL; Sec. 036, PROT W2. |
| NV-11-12-055 | ALL LANDS |
| NV-11-12-056 | ALL LANDS |
| NV-11-12-057 | ALL LANDS |

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| NV-11-12-058 | T.0032N, R.0500E, 21 MDM, NV Sec. 034, PROT ALL. |
| NV-11-12-092 | T.0080N, R.0510E, 21 MDM, NV Sec. 014, ALL; Sec. 023, NW. |
| NV-11-12-093 | ALL LANDS |
| NV-11-12-094 | T.0080N, R.0510E, 21 MDM, NV Sec. 019, SESW, S2SE; Sec. 030, LOTS 1-4. |
| NV-11-12-095 | T.0080N, R.0510E, 21 MDM, NV Sec. 020, S2. |
| NV-11-12-118 | T.0080N, R.0520E, 21 MDM, NV Sec. 006, PROT ALL. |
| NV-11-12-127 | ALL LANDS |
| NV-11-12-128 | ALL LANDS |
| NV-11-12-129 | ALL LANDS |
| NV-11-12-130 | ALL LANDS |
| NV-11-12-131 | ALL LANDS |
| NV-11-12-133 | T.0090N, R.0520E, 21 MDM, NV Sec. 027, PROT N2; Sec. 028, PROT ALL; Sec. 033, PROT W2. |
| NV-11-12-134 | ALL LANDS |
| NV-11-12-135 | ALL LANDS |
| NV-11-12-136 | ALL LANDS |
| NV-11-12-137 | ALL LANDS |
| NV-11-12-138 | ALL LANDS |
| NV-11-12-139 | ALL LANDS |

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|--------------|----------------------------------------------------------------------------|
| NV-11-12-140 | ALL LANDS |
| NV-11-12-141 | ALL LANDS |
| NV-11-12-142 | ALL LANDS |
| NV-11-12-143 | ALL LANDS |
| NV-11-12-144 | ALL LANDS |
| NV-11-12-145 | ALL LANDS |
| NV-11-12-146 | ALL LANDS |
| NV-11-12-147 | ALL LANDS |
| NV-11-12-148 | ALL LANDS |
| NV-11-12-149 | T.0100N, R.0530E, 21 MDM, NV Sec. 007, PROT ALL; Sec. 018, PROT ALL. |
| NV-11-12-150 | ALL LANDS |

TIMING LIMITATION STIPULATION
MULE DEER CRUCIAL WINTER HABITAT

No Surface Occupancy: No surface use is allowed during the following time period(s). This stipulation does not apply to operations and maintenance of production facilities.

Mule Deer Crucial Winter Habitat from January 15 to May 15.

For the purpose of:

Protection of mule deer winter habitat, restrict activities which might be disturbing to mule deer between January 15 and May 15, Tonopah RMP, p. 8.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of the stipulation, see BLM Manual 1624 and 3103.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|---------------------------------------------------------------------------------------------------------------|
| NV-11-12-060 | T.0060N, R.0500E, 21 MDM, NV Sec. 004, LOTS 1-4; Sec. 004, S2N2, S2; Sec. 009, ALL; Sec. 016, W2. |
| NV-11-12-061 | T.0060N, R.0500E, 21 MDM, NV Sec. 005, E2; Sec. 008, E2. |
| NV-11-12-064 | T.0070N, R.0500E, 21 MDM, NV Sec. 003, S2NW, SW; Sec. 004, LOTS 2-4; Sec. 004, S2N2, S2. |
| NV-11-12-065 | T.0070N, R.0500E, 21 MDM, NV Sec. 005, PROT ALL; Sec. 008, PROT ALL. |
| NV-11-12-066 | T.0070N, R.0500E, 21 MDM, NV Sec. 017, PROT ALL; Sec. 018, PROT E2; Sec. 019, PROT E2 EXCL ME PATS. |
| NV-11-12-067 | T.0070N, R.0500E, 21 MDM, NV Sec. 021, ALL. |

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| NV-11-12-068 | T.0070N, R.0500E, 21 MDM, NV Sec. 028, ALL; Sec. 033, ALL. |
| NV-11-12-069 | T.0070N, R.0500E, 21 MDM, NV Sec. 029, PROT ALL; Sec. 030, PROT E2 EXCL ME PATS; Sec. 031, PROT E2; Sec. 032, PROT ALL. |
| NV-11-12-070 | T.0080N, R.0500E, 21 MDM, NV Sec. 034, E2, NENW. |
| NV-11-12-127 | T.0090N, R.0520E, 21 MDM, NV Sec. 011, PROT S2; Sec. 014, PROT ALL; Sec. 023, PROT ALL. |
| NV-11-12-128 | T.0090N, R.0520E, 21 MDM, NV Sec. 004, PROT W2; Sec. 009, PROT ALL; Sec. 010, PROT ALL. |
| NV-11-12-129 | ALL LANDS |
| NV-11-12-130 | ALL LANDS |
| NV-11-12-131 | ALL LANDS |
| NV-11-12-132 | T.0090N, R.0520E, 21 MDM, NV Sec. 026, PROT NW. |
| NV-11-12-133 | T.0090N, R.0520E, 21 MDM, NV Sec. 027, PROT N2; Sec. 028, PROT ALL. |
| NV-11-12-134 | T.0090N, R.0520E, 21 MDM, NV Sec. 029, PROT ALL; Sec. 030, PROT E2. |
| NV-11-12-141 | T.0100N, R.0520E, 21 MDM, NV Sec. 031, LOTS 1-4; Sec. 031, E2, E2W2; Sec. 032, ALL. |

TIMING LIMITATION STIPULATION
BIGHORN LAMBING AREA

No Surface Occupancy: No surface occupancy is allowed during the following time period. This stipulation does not apply to operation and maintenance of production facilities.

Bighorn Lambing Area

Bighorn lambing from February 1 to May 15.

For the purpose of:

Protection of bighorn sheep lambing areas, restrict activities which might be disturbing to bighorn sheep between February 1 and May 15, Tonopah RMP, p. 8.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of the stipulation, see BLM Manual 1624 and 3103.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|------------------------------------|
| NV-11-12-029 | ALL LANDS |
| NV-11-12-040 | ALL LANDS |
| NV-11-12-041 | ALL LANDS |
| NV-11-12-042 | ALL LANDS |
| NV-11-12-061 | ALL LANDS |
| NV-11-12-065 | ALL LANDS |
| NV-11-12-066 | ALL LANDS |
| NV-11-12-069 | ALL LANDS |

NO SURFACE OCCUPANCY STIPULATION
CALIENTE RAIL CORRIDOR

No Surface Occupancy: No surface use is allowed on the lands described below (legal description or other description):

A one mile corridor withdrawn from surface entry under Public Land Order (“PLO”) 7653, for the Caliente Rail Alignment of the Yucca Mountain Project. See the attached Master Title Plats.

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

PARCELS

DESCRIPTION OF LANDS

| | |
|--------------------------------------|---------------------------------------|
| NV-11-12-019 THRU NV-11-12-021 | All lands located within the PLO 7653 |
| NV-11-12-023 | All lands located within the PLO 7653 |
| NV-11-12-024 | All lands located within the PLO 7653 |
| NV-11-12-029 | All lands located within the PLO 7653 |
| NV-11-12-032 | All lands located within the PLO 7653 |
| NV-11-12-033 | All lands located within the PLO 7653 |
| NV-11-12-040 | All lands located within the PLO 7653 |
| NV-11-12-042 | All lands located within the PLO 7653 |
| NV-11-12-047 | All lands located within the PLO 7653 |
| NV-11-12-048 | All lands located within the PLO 7653 |
| NV-11-12-050 THRU NV-11-12-052 | All lands located within the PLO 7653 |
| NV-11-12-054 | All lands located within the PLO 7653 |
| NV-11-12-057 | All lands located within the PLO 7653 |
| NV-11-12-058 | All lands located within the PLO 7653 |

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ARCHAEOLOGICAL STIPULATION

These leases 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. 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.

Authority: BLM Washington Office Instruction Memorandum 2005-03.

PARCELS

DESCRIPTION OF LANDS

NV-11-12-019
THRU
NV-11-12-151

ALL LANDS

CONTINGENCY RIGHTS STIPULATION

The Bureau of Land Management has reviewed existing information and planning documents and, except as noted in other attached stipulations, knows of no reason why normal development—subject to the controls of applicable laws and regulations and the lease terms and conditions—cannot proceed on the leased lands. However, specific development activities could not be identified prior to lease issuance since the nature and extent of oil and gas resources were not known and specific operations have not been proposed. The lessee is hereby made aware that all post lease operations will be subject to appropriate environmental review and may be limited or denied by no surface occupancy stipulations.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|------------------------------------|
| NV-11-12-004 | ALL LANDS |
| NV-11-12-005 | ALL LANDS |
| NV-11-12-006 | ALL LANDS |
| NV-11-12-007 | ALL LANDS |
| NV-11-12-008 | ALL LANDS |
| NV-11-12-009 | ALL LANDS |
| NV-11-12-012 | ALL LANDS |
| NV-11-12-013 | ALL LANDS |
| NV-11-12-014 | ALL LANDS |
| NV-11-12-015 | ALL LANDS |
| NV-11-12-016 | ALL LANDS |
| NV-11-12-017 | ALL LANDS |
| NV-11-12-018 | ALL LANDS |

INVASIVE, NON-NATIVE SPECIES STIPULATION

During all phases of exploration and development, the lessee shall maintain a noxious weed control program consisting of monitoring and eradication for species listed on the Nevada Designated Noxious Weed List (NRS 555.010).

Areas to be developed will be inventoried for the presence of invasive noxious species before disturbance. During close out operations, sites shall be inventoried for the presence of these noxious weed species and treated if noxious weeds are present.

The BLM will assist to develop and the operator will implement a noxious weed treatment program from the time operation commences until the site is abandoned. Seed and mulch used to reclaim disturbed areas shall be free of invasive noxious weed species.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|------------------------------------|
| NV-11-12-004 | ALL LANDS |
| NV-11-12-005 | ALL LANDS |
| NV-11-12-006 | ALL LANDS |
| NV-11-12-007 | ALL LANDS |
| NV-11-12-008 | ALL LANDS |
| NV-11-12-009 | ALL LANDS |
| NV-11-12-012 | ALL LANDS |
| NV-11-12-013 | ALL LANDS |
| NV-11-12-014 | ALL LANDS |
| NV-11-12-015 | ALL LANDS |
| NV-11-12-016 | ALL LANDS |
| NV-11-12-017 | ALL LANDS |
| NV-11-12-018 | ALL LANDS |

MIGRATORY BIRDS STIPULATION

Surface disturbing activities during the migratory bird nesting season (March to July) may be restricted in order to avoid potential violation of the Migratory Bird Act. Appropriate inventories of migratory birds shall be conducted during analysis of actual site development. If active nests are located, or if other evidence of nesting is observed (mating pairs, territorial defense, carrying of nesting material, transporting of food), the proponent shall coordinate with BLM to establish appropriate protection measures for the nesting sites. Protection measures may include avoidance or restricting or excluding development in certain areas until nests and nesting birds will not be disturbed. After July 31, no further avian survey, will be conducted until the following year.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|------------------------------------|
| NV-11-12-004 | ALL LANDS |
| NV-11-12-005 | ALL LANDS |
| NV-11-12-006 | ALL LANDS |
| NV-11-12-007 | ALL LANDS |
| NV-11-12-008 | ALL LANDS |
| NV-11-12-009 | ALL LANDS |
| NV-11-12-012 | ALL LANDS |
| NV-11-12-013 | ALL LANDS |
| NV-11-12-014 | ALL LANDS |
| NV-11-12-015 | ALL LANDS |
| NV-11-12-016 | ALL LANDS |
| NV-11-12-017 | ALL LANDS |
| NV-11-12-018 | ALL LANDS |

PALEONTOLOGICAL RESOURCES STIPULATION

Where significant paleontological resources are identified, mitigating measures such as data recovery, restrictions on development, and deletion of some areas from development may be required on a case by case basis.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|------------------------------------|
| NV-11-12-004 | ALL LANDS |
| NV-11-12-005 | ALL LANDS |
| NV-11-12-006 | ALL LANDS |
| NV-11-12-007 | ALL LANDS |
| NV-11-12-008 | ALL LANDS |
| NV-11-12-009 | ALL LANDS |
| NV-11-12-012 | ALL LANDS |
| NV-11-12-013 | ALL LANDS |
| NV-11-12-014 | ALL LANDS |
| NV-11-12-015 | ALL LANDS |
| NV-11-12-016 | ALL LANDS |
| NV-11-12-017 | ALL LANDS |
| NV-11-12-018 | ALL LANDS |

THREATENED, ENDANGERED, OR SPECIAL STATUS SPECIES STIPULATION

Controlled Or Limited Surface Use: (avoidance and/or mitigation measures to be developed)
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 modifications 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, 16 U.S.C. 1531, as amended, including completion of any required procedure for conference or consultation.

Exploratory endeavors on the public lands will require a Special Status Species review, and may require a field survey for the presence of Special Status Species. Potential impacts to Special Status Species will be analyzed on a case-by-case basis. Mitigation measures will be developed on an individual project basis depending upon the results of the survey.

| <u>PARCEL</u> | <u>DESCRIPTION OF LANDS</u> |
|----------------------|------------------------------------|
| NV-11-12-004 | ALL LANDS |
| NV-11-12-005 | ALL LANDS |
| NV-11-12-006 | ALL LANDS |
| NV-11-12-007 | ALL LANDS |
| NV-11-12-008 | ALL LANDS |
| NV-11-12-009 | ALL LANDS |
| NV-11-12-012 | ALL LANDS |
| NV-11-12-013 | ALL LANDS |
| NV-11-12-014 | ALL LANDS |
| NV-11-12-015 | ALL LANDS |
| NV-11-12-016 | ALL LANDS |
| NV-11-12-017 | ALL LANDS |
| NV-11-12-018 | ALL LANDS |

PYGMY RABBIT STIPULATION

Surface disturbing activities in pygmy rabbit habitat may be restricted in order to avoid impacts to pygmy rabbits. Appropriate inventories of suitable pygmy rabbit habitat shall be conducted during analysis of actual site development. If pygmy rabbits or their sign are located, the proponent shall coordinate with BLM to establish appropriate protection measures which may include avoidance or restricting or excluding development.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|------------------------------------|
| NV-11-12-004 | ALL LANDS |
| NV-11-12-005 | ALL LANDS |
| NV-11-12-006 | ALL LANDS |
| NV-11-12-007 | ALL LANDS |
| NV-11-12-008 | ALL LANDS |
| NV-11-12-009 | ALL LANDS |
| NV-11-12-012 | ALL LANDS |
| NV-11-12-013 | ALL LANDS |
| NV-11-12-014 | ALL LANDS |
| NV-11-12-015 | ALL LANDS |
| NV-11-12-016 | ALL LANDS |
| NV-11-12-017 | ALL LANDS |
| NV-11-12-018 | ALL LANDS |

OTHER BIOTA STIPULATION

Prior to site development, a survey for invertebrates will be conducted on areas where geothermal surface expressions occur.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|------------------------------------|
| NV-11-12-004 | ALL LANDS |
| NV-11-12-005 | ALL LANDS |
| NV-11-12-006 | ALL LANDS |
| NV-11-12-007 | ALL LANDS |
| NV-11-12-008 | ALL LANDS |
| NV-11-12-009 | ALL LANDS |
| NV-11-12-012 | ALL LANDS |
| NV-11-12-013 | ALL LANDS |
| NV-11-12-014 | ALL LANDS |
| NV-11-12-015 | ALL LANDS |
| NV-11-12-016 | ALL LANDS |
| NV-11-12-017 | ALL LANDS |
| NV-11-12-018 | ALL LANDS |

WATER QUALITY (SURFACE AND GROUND) STIPULATION

As exploration and development activities commence, the operator shall institute a hydrologic monitoring program. The details of the monitoring programs will be site specific and the intensity shall be commensurate with the level of exploration. For example, if the proponent will be conducting seismic studies the monitoring will be limited to the identification of water resources to be monitored as activities continue; if a drilling program were to be undertaken the number of aquifers encountered, their properties, their quality, and their saturated thickness will be documented. The information collected will be submitted to the Bureau of Land Management and will be used to support future NEPA documentation as development progresses. Adverse impacts to surface expressions of the geothermal reservoir (hot springs), and Threatened and Endangered Species habitat are not acceptable. The lessee will monitor the quality, quantity, and temperature of any hot or cold springs or other water resource within the project area whenever they are conducting activities which have the potential to impact those resources. This may require the operator to make a good faith effort to obtain access across private property. If adverse impacts do occur, BLM will require the lessee to take corrective action to mitigate the impact. Corrective action may include shutting down the operation. These are in addition to the other stipulations. The information gathered under the monitoring stipulation will be used to identify future impacts at the operational stage.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|------------------------------------|
| NV-11-12-004 | ALL LANDS |
| NV-11-12-005 | ALL LANDS |
| NV-11-12-006 | ALL LANDS |
| NV-11-12-007 | ALL LANDS |
| NV-11-12-008 | ALL LANDS |
| NV-11-12-009 | ALL LANDS |
| NV-11-12-012 | ALL LANDS |
| NV-11-12-013 | ALL LANDS |
| NV-11-12-014 | ALL LANDS |
| NV-11-12-015 | ALL LANDS |
| NV-11-12-016 | ALL LANDS |
| NV-11-12-017 | ALL LANDS |
| NV-11-12-018 | ALL LANDS |

WILD HORSES AND BURROS STIPULATION

Controlled or Limited Surface Use: (avoidance and/or mitigation measures to be developed.) If wild horse or burro populations are located on sites proposed for development, it may be necessary to avoid or develop mitigation measures to reduce adverse impacts to horses. These measures may include providing alternative water sources for horses of equal quality and quantity. In the Stillwater HMA any alternate water source shall be placed one mile away from oil and gas operations.

PARCELS

DESCRIPTION OF LANDS

NV-11-12-013

T.0260N, R.0360E, 21 MDM, NV
Sec. 008, PROT SE;
Sec. 017, PROT ALL;
Sec. 018, PROT SE.

MULE DEER, PRONG HORN ANTELOPE, AND BIGHORN SHEEP STIPULATION

Controlled Or Limited Surface Use: (avoidance and/or required mitigation measures to be developed) – Are applicable for all leases proposed in mule deer, antelope, and big horn sheep winter habitats, critical fawning and kidding areas and critical migration routes.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|------------------------------------|
| NV-11-12-004 | ALL LANDS |
| NV-11-12-005 | ALL LANDS |
| NV-11-12-006 | ALL LANDS |
| NV-11-12-007 | ALL LANDS |
| NV-11-12-008 | ALL LANDS |
| NV-11-12-009 | ALL LANDS |
| NV-11-12-012 | ALL LANDS |
| NV-11-12-013 | ALL LANDS |
| NV-11-12-014 | ALL LANDS |
| NV-11-12-015 | ALL LANDS |
| NV-11-12-016 | ALL LANDS |
| NV-11-12-017 | ALL LANDS |
| NV-11-12-018 | ALL LANDS |

BALD AND GOLDEN EAGLE PROTECTION ACT COMPLIANCE STIPULATION

Bald and/or golden eagles may now or hereafter be found to utilize the project area. The BLM will not issue a notice to proceed for any project that is likely to result in take of bald eagles and/or golden eagles until the applicant completes its obligation under applicable requirements of the Eagle Act, including completion of any required procedure for coordination with the U.S. Fish and Wildlife Service (FWS) or any required permit.

The BLM hereby notifies the applicant that compliance with the Eagle Act is a dynamic and adaptable process which may require the applicant to conduct further analysis and mitigation following assessment of operational impacts.

Any additional analysis or mitigation required to comply with the Eagle Act will be developed with the FWS and coordinated with the BLM.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|------------------------------------|
| NV-11-12-004 | ALL LANDS |
| NV-11-12-005 | ALL LANDS |
| NV-11-12-006 | ALL LANDS |
| NV-11-12-007 | ALL LANDS |
| NV-11-12-008 | ALL LANDS |
| NV-11-12-009 | ALL LANDS |
| NV-11-12-012 | ALL LANDS |
| NV-11-12-013 | ALL LANDS |
| NV-11-12-014 | ALL LANDS |
| NV-11-12-015 | ALL LANDS |
| NV-11-12-016 | ALL LANDS |
| NV-11-12-017 | ALL LANDS |
| NV-11-12-018 | ALL LANDS |

CULTURAL RESOURCES STIPULATION

Controlled Or Limited Surface Use: (avoidance and/or mitigation measures to be developed). All surface disturbing activities proposed after issuance of the lease are subject to compliance with Section 106 of the National Historic Protection Act (NHPA) and its implementation through the protocol between the BLM Nevada State Director and the Nevada State Historic Preservation Officer.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|------------------------------------|
| NV-11-12-004 | ALL LANDS |
| NV-11-12-005 | ALL LANDS |
| NV-11-12-006 | ALL LANDS |
| NV-11-12-007 | ALL LANDS |
| NV-11-12-008 | ALL LANDS |
| NV-11-12-009 | ALL LANDS |
| NV-11-12-012 | ALL LANDS |
| NV-11-12-013 | ALL LANDS |
| NV-11-12-014 | ALL LANDS |
| NV-11-12-015 | ALL LANDS |
| NV-11-12-016 | ALL LANDS |
| NV-11-12-017 | ALL LANDS |
| NV-11-12-018 | ALL LANDS |

NATIVE AMERICAN RELIGIOUS CONCERNS STIPULATION

Controlled or Limited Surface Use (avoidance and/or mitigation measures to be developed): For development and production phases, surface occupancy may be limited to a specific distance or precluded at hot springs, sacred sites, or TCPs pending conclusion of the Native American consultation process. All development activities proposed under the authority of this lease are subject to the requirement for Native American consultation prior to BLM authorizing the activity. Depending on the nature of the lease developments proposed and the resources potentially affected, Native American consultation and mitigation measures to avoid significant impacts could significantly extend time frames for processing authorizations for development activities and change the ways in which developments are implemented.

Native Americans shall be allowed to access to sacred sites and Traditional Cultural Properties on and through oil and gas leases. Access to Native American sacred sites and Traditional Cultural Properties shall not be precluded by oil and gas exploration and development activities.

Should previously unidentified human remains or funerary objects be discovered during surface disturbing activities, all surface disturbing activities in the immediate vicinity of the discovery shall cease and BLM shall be notified. Surface disturbing activities shall not be reinitiated in the immediate vicinity of the discovery until authorized by the BLM.

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. 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.

As surface disturbing activities occur, the BLM will require that the operator monitor the water temperature and outflow of water from local hot springs and existing wells. This may require the operator to make a good faith effort to obtain access across private property. If the temperature and outflow of the water from the spring or well are impacted, the BLM will require the operator to take corrective actions. Failure of the operator to take the corrective measures as directed could result in BLM's terminating the operation.

PARCELS

DESCRIPTION OF LANDS

NV-11-12-012

ALL LANDS

NV-11-12-013

ALL LANDS

NATIVE AMERICAN CONSULTATION STIPULATION

All development activities proposed under the authority of this lease are subject to the requirement for Native American consultation prior to BLM authorizing the activity. Depending on the nature of the lease developments being proposed and the resources of the concerns to tribes potentially affected, Native American consultation and resulting mitigation measures to avoid significant impacts may extend time frames for processing authorizations for development activities, as well as, change in the ways in which developments are implemented.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|------------------------------------|
| NV-11-12-001 | ALL LANDS |
| NV-11-12-002 | ALL LANDS |
| NV-11-12-003 | ALL LANDS |
| NV-11-12-010 | ALL LANDS |
| NV-11-12-011 | ALL LANDS |

MATERIAL SITE STIPULATION

The lessee accepts this lease subject to the right of the State of Nevada to remove road building material from the land embraced in Material Site No. (see below) and agrees that its operations will not interfere with the material operations of the Department of Transportation.

PARCELS

DESCRIPTION OF LANDS

NV-11-12-001
NEV015411

T.0130N, R.0350E, 21 MDM, NV
Sec. 003, PROT N2NE (within).

NV-11-12-010
NEV015412

T.0130N, R.0360E, 21 MDM, NV
Sec. 019, PROT SWSW (within).

NV-11-12-011
NEV015412

T.0130N, R.0360E, 21 MDM, NV
Sec. 030, PROT NWNW (within).

NV-11-12-107
NEV044325

T.0030N, R. 0520E, 21 MDM, NV
Sec. 014, NENE (within).

NATIVE AMERICAN CONSULTATION REQUIRED

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. 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.

PARCELS

DESCRIPTION OF LANDS

NV-11-12-019
THRU
NV-11-12-151

ALL LANDS

OFF HIGHWAY VEHICLE RESTRICTION STIPULATION

All vehicular traffic shall be confined to existing roads and trails. New and amended right-of-way within the following areas will have to be compatible with special values of the area.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------|
| NV-11-12-026 | T.0040N, R.0490E, 21 MDM, NV Sec. 001, LOTS 1-4; Sec. 001, S2N2, S2; Sec. 002, LOTS 1-3; Sec. 002, S2NE, SE. |
| NV-11-12-028 | T.0040N, R.0490E, 21 MDM, NV Sec. 011, E2NE, NESE; Sec. 012, ALL. |
| NV-11-12-035 | ALL LANDS |
| NV-11-12-036 | ALL LANDS |
| NV-11-12-039 | ALL LANDS |
| NV-11-12-040 | T.0040N, R.0492E, 21 MDM, NV Sec. 003, PROT ALL; Sec. 010, PROT ALL; Sec. 015, PROT ALL; Sec. 022, PROT ALL. |
| NV-11-12-041 | ALL LANDS |
| NV-11-12-043 | ALL LANDS |
| NV-11-12-044 | ALL LANDS |
| NV-11-12-045 | T.0060N, R.0492E, 21 MDM, NV Sec. 003, PROT ALL; Sec. 004, PROT ALL; Sec. 005, PROT ALL. |
| NV-11-12-046 | ALL LANDS |
| NV-11-12-071 | ALL LANDS |
| NV-11-12-072 | ALL LANDS |

| | |
|--------------|---------------------------------------------------------------------------------------------------------------------------------|
| NV-11-12-073 | T.0030N, R.0510E, 21 MDM, NV Sec. 008, PROT E2. |
| NV-11-12-074 | ALL LANDS |
| NV-11-12-075 | ALL LANDS |
| NV-11-12-076 | T.0030N, R.0510E, 21 MDM, NV Sec. 017, PROT ALL; Sec. 020, PROT ALL. |
| NV-11-12-077 | ALL LANDS |
| NV-11-12-078 | ALL LANDS |
| NV-11-12-079 | T.0030N, R.0510E, 21 MDM, NV Sec. 029, PROT ALL; Sec. 030, PROT SESE; Sec. 031, PROT E2; Sec. 032, PROT ALL. |
| NV-11-12-080 | T.0032N, R.0510E, 21 MDM, NV Sec. 033, PROT SE; Sec. 034, PROT ALL; Sec. 035, PROT ALL; Sec. 036, PROT ALL. |
| NV-11-12-098 | ALL LANDS |
| NV-11-12-099 | ALL LANDS |
| NV-11-12-100 | T.0030N, R.0512E, 21 MDM, NV Sec. 013, PROT ALL; Sec. 014, PROT ALL; Sec. 023, PROT ALL; Sec. 024, PROT NE, NW, SW. |
| NV-11-12-101 | T.0030N, R.0512E, 21 MDM, NV Sec. 025, PROT NWNW; Sec. 026, PROT NE, W2, W2SE, NESE; Sec. 035, PROT NW, W2SW. |
| NV-11-12-102 | ALL LANDS |

| | |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NV-11-12-104 | ALL LANDS |
| NV-11-12-105 | T.0030N, R.0520E, 21 MDM, NV Sec. 007, PROT ALL. Sec. 008, PROT ALL; Sec. 017, PROT NE, W2; Sec. 018, PROT ALL. |
| NV-11-12-106 | T.0030N, R.0520E, 21 MDM, NV Sec. 009, PROT NE, W2; Sec. 016, PROT NWNW. |
| NV-11-12-108 | T.0030N, R.0520E, 21 MDM, NV Sec. 019, PROT N2, SW. |
| NV-11-12-116 | T.0070N, R.0520E, 21 MDM, NV Sec. 027, PROT E2; Sec. 034, PROT E2. |
| NV-11-12-135 | T.0100N, R.0520E, 21 MDM, NV Sec. 007, LOTS 1-2; Sec. 008, LOTS 1-4; Sec. 009, LOTS 2-4; Sec. 016, E2; Sec. 017, ALL; Sec. 018, LOTS 2-4; Sec. 018, SWNE, S2NW, SW. |
| NV-11-12-142 | T.0110N, R.0520E, 21 MDM, NV Sec. 002, LOTS 1-4; Sec. 002, S2N2, SW, W2SE; Sec. 003, LOTS 1-2; Sec. 003, S2NE, SE. |
| NV-11-12-143 | T.0110N, R.0520E, 21 MDM, NV Sec. 010, NE, S2; Sec. 011, NENW, W2NW. |
| NV-11-12-145 | T.0110N, R.0520E, 21 MDM, NV Sec. 015, W2NE, W2; Sec. 016, E2; Sec. 021, ALL; Sec. 022, W2W2. |

NV-11-12-147

T.0110N, R.0520E, 21 MDM, NV
Sec. 027, W2;
Sec. 028, ALL;
Sec. 033, ALL;
Sec. 034, W2E2, W2.

NV-11-12-148

T.0110N, R.0520E, 21 MDM, NV
Sec. 029, E2;
Sec. 032, E2.

NV-065-21
4 of 4

MIGRATORY BIRDS STIPULATION

Surface disturbing activities during the migratory bird nesting season (March 1 to July31) may be restricted in order to avoid potential violation of the Migratory Bird Act. Appropriate inventories of migratory birds shall be conducted during analysis of actual site development. If active nests are located, or if other evidence of nesting is observed (mating pairs, territorial defense, carrying of nesting material, transporting of food), the proponent shall coordinate with BLM to establish appropriate protection measures for the nesting sites. Protection measures may include avoidance or restricting or excluding development in certain areas until nests and nesting birds will not be disturbed. After July 31, no further avian survey, will be conducted until the following year.

PARCELS

DESCRIPTION OF LANDS

NV-11-12-019
THRU
NV-11-12-151

ALL LANDS

THREATENED, ENDANGERED, AND SPECIAL STATUS SPECIES STIPULATION
GOLDEN EAGLE

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 complete 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.

Authority: BLM Washington Office Instruction Memorandum 2002-174; Endangered Species Act

For the purpose of:

Protecting the golden eagle, a BLM Special Status Species.

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

PARCEL

DESCRIPTION OF LANDS

NV-11-12-098

ALL LANDS

TIMING LIMITATION STIPULATION
RAPTOR NEST SITES

No Surface Occupancy: No surface use is allowed during the following time period(s). This stipulation does not apply to operations and maintenance of production facilities.

Raptor Nest Sites

No surface activity would be allowed from May 1 through July 15 within 0.5 mile of a raptor nest site which has been active within the past five years.

For the purpose of:

Protection of raptor nesting activities to maintain existing populations.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. For guidance on the use of the stipulation, see BLM Manual 1624 and 3103.

| <u>PARCELS</u> | <u>DESCRIPTION OF LANDS</u> |
|-----------------------|------------------------------------|
| NV-11-12-052 | ALL LANDS |
| NV-11-12-071 | ALL LANDS |
| NV-11-12-074 | ALL LANDS |
| NV-11-12-098 | ALL LANDS |
| NV-11-12-105 | ALL LANDS |
| NV-11-12-109 | ALL LANDS |
| NV-11-12-114 | ALL LANDS |
| NV-11-12-116 | ALL LANDS |
| NV-11-12-123 | ALL LANDS |