

DECISION RECORD
Categorical Exclusion 3 (CX3), WY-070-390CX3-13-160
Section 390, Energy Policy Act of 2005
Yates Petroleum Corporation, Medicine Federal Com 14H Application for Permit to Drill (APD)
Bureau of Land Management, Buffalo Field Office, Wyoming

DECISION: The BLM approves the application for permit to drill (APD) from Yates Petroleum Corporation (Yates) to horizontally drill 1 conventional oil and gas well and construct their associated infrastructure as described in the CX3 worksheet, WY-070-390CX3-13-160 which BLM incorporates here by reference.

Compliance. This decision complies with:

- Federal Land Policy and Management Act of 1976 (FLPMA) (43 USC 1701); DOI Order 3310.
- National Environmental Policy Act of 1969 (NEPA) (42 USC 4321).
- National Historic Preservation Act of 1966 (16 USC 470).
- Endangered Species Act of 1974 (16 USC 1531).
- Buffalo and Powder River Basin (PRB) Final Environmental Impact Statement (FEIS), 1985, 2003.
- Buffalo Resource Management Plan (RMP) 1985, Amendments 2001, 2003, 2011.

A summary of the details of the approval. The CX worksheet, WY-070-390CX3-13-160, includes the project description, including site-specific mitigation measures which are incorporated by reference into that worksheet from earlier analysis. The proposed well is approximately 32 miles southwest of Gillette, Campbell County, Wyoming. Yates proposed develop and produce oil and gas from the Sussex Formation at 8,205 feet total vertical distance (TVD) and 13,275 feet measured depth (MD).

Approvals. BLM approves the following 1 conventional APD and associated infrastructure:

#	Well Name/ Well #	Qtr	Sec	Twp	Rng	Lease	CX Number
1	Medicine Federal Com 14H	SWSE	11	46N	75W	WYW138440 (Surface) WYW177835 (Bottom Hole)	WY-070-390CX3-13-160

THE FINDING OF NO SIGNIFICANT IMPACT (FONSI). Congress, the Department of Interior and BLM affirmed there was no significant impact of a like-structured project when they created this CX3 worksheet process and its limiting parameters. Thus a FONSI and an EIS is not required.

COMMENT OR NEW INFORMATION SUMMARY. Since implementation of this CX3 proposal BFO received clarification on policies for: migratory bird conservation, WY Instruction Memorandum (IM)-2013-005; NEPA implementation, WY IM-2013-014; reducing direct wildlife mortality, BLM IM-2013-033; and processing APDs, BLM IM-2013-104. BLM posted this APD for 30-days and received no public comments on the proposals.

DECISION RATIONALE. The approval of this project is because:

1. Mitigation measures and conditions of approval (COAs), analyzed in the CX3 worksheet, in environmental impact statements or environmental analysis to which the CX3 worksheet tiers or incorporates by reference, will reduce environmental impacts while meeting the BLM’s need.
2. The approved project conditioned by its design features and COAs, will not result in any undue or unnecessary environmental degradation. The impact of this development cumulatively contributes to the potential for local extirpation of the Greater Sage Grouse (GSG) yet its effect is acceptable because it is outside priority habitats and is within the parameters of the PRB FEIS/ROD and current BLM and

Wyoming GSG conservation strategies. There are no conflicts anticipated or demonstrated with current uses in the area. This decision approving the Medicine Federal Com 14H APD complies with the Energy Policy Act of 2005, Section 390, 43 CFR 1610.5, 40 CFR 1508.4, and 43 CFR 46.215.

3. Approval of this project conforms to the terms and the conditions of the 1985 Buffalo RMP (BLM 1985) and subsequent update (BLM 2001) and amendments (BLM 2003, 2011). This project complies with the breadth and constraints of CX3, Energy Policy Act of 2005, and subsequent policy.
4. The selected alternative will help meet the nation's energy need, revenues, and stimulate local economies by maintaining workforces.
5. The operator, in their project, shall:
 - Comply with all applicable federal, state, and local laws and regulations.
 - Offer water well agreements to the owners of record for permitted water wells within 0.5 mile of a federal producing well in the POD (PRB FEIS ROD, p. 7).
 - The operator will collect a water sample representative of the water produced from this well for analysis within 90 days of initial production.
6. The project is clearly lacking in wilderness characteristics as there is no federal surface.
7. BLM incorporates by reference the portions addressing Reclamation/Dry Hole from SDRs WY-2012-010, WY-2012-009, WY-2012-008, and WY-2011-022.
8. This decision does not foreclose the lessee or operator to propose a new or supplementary plan for developing the federal oil and gas leases in this project area, including submission of additional APDs to drain minerals in accord with lease rights and law. This decision does not foreclose the lessee or operator to propose using external pumping units via a sundry application process.
9. Yates certified there is a surface use access agreement with the landowners or it posted a bond.
10. This approval is subject to adherence with all of the operating plans, design features, and mitigation measures contained in the Master Surface Use Plan of Operations, Drilling Plan, Water Management Plan, and information in individual APDs.

ADMINISTRATIVE APPEAL: This decision is subject to administrative appeal in accord with 43 CFR 3165. Request for administrative appeal must include information required under 43 CFR 3165.3(b) (State Director Review), including all supporting documentation. Such a request must be filed in writing with the State Director, Bureau of Land Management, P.O. Box 1828, Cheyenne, Wyoming 82003, no later than 20 business days after this Decision Record is received or considered to have been received. Any party who is adversely affected by the State Director's decision may appeal that decision to the Interior Board of Land Appeals, as provided in 43 CFR 3165.4.

Field Manager:



Date:

5/17/13

Categorical Exclusion 3 (CX3), WY-070-390CX3-13-160

Section 390, Energy Policy Act of 2005

**Yates Petroleum Corporation, Medicine Federal Com 14H Application for Permit to Drill (APD)
Bureau of Land Management, Buffalo Field Office, Wyoming**

Description of the Proposed Action.

Yates Petroleum Corporation (Yates) request BLM's approval for 1 application for permit to drill (APD). BLM incorporates the APD here by reference; see the administrative record, (AR). Yates proposes to drill a well pad and associated infrastructure. Yates will drill the well from a non-federal surface into underlying federal minerals; see Table 1.1. Yates will drill the well with initial disturbance including; pad disturbance, cuts, fills, spoil and topsoil piles, access roads, and associated infrastructure of approximately 9.61 acres. During interim reclamation, Yates will re-contour and reclaim the areas not required for production facilities.

Table 1.1. Proposed Well

#	Well Name/ Well #	Qtr	Sec	Twp	Rng	Lease	CX Number
1	Medicine Federal Com 14H	SWSE	11	46N	75W	WYW 138440 (Surface) WYW 177835 (Bottom Hole)	WY-070-390CX3-13-160

The BLM's need for this project is to meet the management objectives of the Buffalo Resource Management Plan (RMP), 1985, 2001, 2003, and 2011. BLM must determine how and under what conditions to balance natural resource conservation with allowing the operator to exercise lease rights to develop fluid minerals, as described in their APD, surface use and drilling plans, incorporated here by reference. Innes Ranch LLC. and Lee and Margaret Jo Saunders Trusts are the surface owners of the proposed well.

The project area is 32 miles southwest of Gillette, Campbell County, Wyoming. The proposed surface hole (drill site) is SW ¼ SE ¼ of Section 11 of T46N-R75W. The elevation is 4,851.3 feet, with gently sloped draws rising to mixed sagebrush and grassland uplands. Ephemeral tributaries of Pumpkin Creek drain the project area. The area climate is semi-arid, averaging 10-14 inches of precipitation annually, about 60% of which occurs between April and September. The well's jurisdiction is: surface - fee; underlying minerals are federal; and the targeted formation for extraction is a federal lease.

The BLM will decide whether or not to approve the proposed development, and if so, under what terms and conditions agreeing with the Bureau's multiple use mandate, environmental protection, and RMP.

Reasonably foreseeable development in the Gauge POD Environmental Assessment (EA), WY-070-EA09-075, 2009, and its locality to include but not limited to the approved Medicine Federal Com 14H, will fill-in to 640-acre spacing. This supports the development anticipated in the PRB FEIS, (see narrative in Section 2, No Action Alternative). The proposal is to explore by horizontal drilling for, and possibly develop, oil and gas reserves in the Sussex Formation at 8,276 feet, total vertical distance (TVD), and laterally from 8,205 feet TVD to 13,275 feet measured depth (MD) leased by Yates. Yates proposes drilling and developing 1 oil and gas well into federal mineral estate.

Yates submitted an APD on August 17, 2012, to the BFO. Yates and BFO completed onsite inspections on December 11, 2012. The onsites evaluated the proposal and modified it to mitigate environmental impacts. The BLM sent a post-onsite deficiency letter to Yates on December 21, 2012. Yates submitted deficiency responses on January 18, 2013. BLM considered the APD complete on February 18, 2013.

Full effects of the proposal are in the Medicine Federal Com 14H surface use plan, Medicine Federal Com 14H CX3, WY-070-390CX3-13-160, Gauge POD EA, WY-070-EA09-075, and BLM Conditions of Approval (COAs) for Conventional Application for Permit to Drill, Appendix A.

Drilling, Construction, and Production Design Features Include:

Access and Utilities

- Existing improved roads will be used for the majority of the access to the well.
- Approximately 3144 feet of newly constructed access will be constructed as template crown and ditched road. Disturbance lengths, widths, and acres are in Table 1.3.
- The access crosses two small drainages where Yates will add 24 inch culverts where the road crosses.
- The power source will be supplied to the well by a power drop from a power line near the well.
- There are existing overhead power lines in the area, additional poles will be added to bring the power source to the edge of the well.
- Water will be delivered to the well by either; a surface water line, or trucked onto location.
- Approximately 40,000 bbls of water are anticipated for drilling/completion operations.

Well Location

- The well pad will be constructed with cuts/fills and topsoil/spoil piles surrounding the pad surface. Acreage is outlined in Table 1.3.
- The cuts and fills will be constructed at 1½:1 initially for drilling and completion operations and reduced to 2:1 for interim reclamation.
- A reserve pit will be constructed on the location for drilling and completion operations.
- The reserve pit will be lined with an impervious synthetic liner.
- No off-site ancillary facilities are planned for this project. No staging areas, man camps/housing facilities are anticipated to be used off-site. Working trailers and sleeping trailers will be placed on the well pad during the drilling and completion of the well.
- If the well becomes a producer, production facilities will be located at the well site and will include a pumping unit, storage tanks, buildings, oil-water separator (heater-treater). There will be no pits at this producing oil well location. See anticipated timing in Table 1.2, below.

Table 1.2. Anticipated Drilling and Completion Sequence and Timing (per well)

Drilling and Completion Step	Approximate Duration
Build Location (roads, pad, and other initial infrastructure)	30 days
Mob Rig	2-4 days ¹
Drilling (24/7)	30 days ²
Schedule/logistics	30 days
Completion (setup, completion, demobilization)	5-8 days
¹ Depending on distance and needed to add supplemental drilling equipment, such as skidding plates.	
² By comparison, approximately 2 days are required to drill a CBNG well. ICF 2012	

Summarized Drilling and Completion Operations

- Hydraulic fracturing operations are planned as a ‘plug & perf’ operation done in stages. All fresh water will be contained in 400-500 bbl rental hydraulic fracturing tanks and no surface pits will be used to hold this water. No additional well pad disturbance is anticipated for hydraulic fracturing operations. Completion flowback water will be held in tanks on location and trucked offsite to a disposal facility permitted by Wyoming Department of Environmental Quality (WDEQ).
- Approximately 40-80 500-bbl hydraulic fracturing (HF) tanks are spotted, taking 2 weeks to fill, prior to pumping the stimulation. All HF water, including excess, is present before starting.
- Flowback equipment and tanks are spotted 2-3 days before pumping. Sand silos are spotted and filled 2-3 days prior to pumping.
- Next pump trucks and chemical mixing equipment arrives and, when ready, operations continue for

36-48 hours or 3-5 days depending on the type of stimulation stage isolation (i.e. packers/sleeves or plug/perf respectively).

- Sand is continuously brought on site in semi-truck loads during pumping. It is necessary to have a safe turning radius for these trucks. Pumping water may require heating in the winter months.

The following narrative explains why Yates requests about 6 acres for a bladed and level pad site. Multi-stage horizontal completions require all equipment and materials to be present before beginning operations. Necessary space must be available to work safely around all the equipment.

Figure 1.1. Surface & Bottom Hole Locations and Mineral Ownership

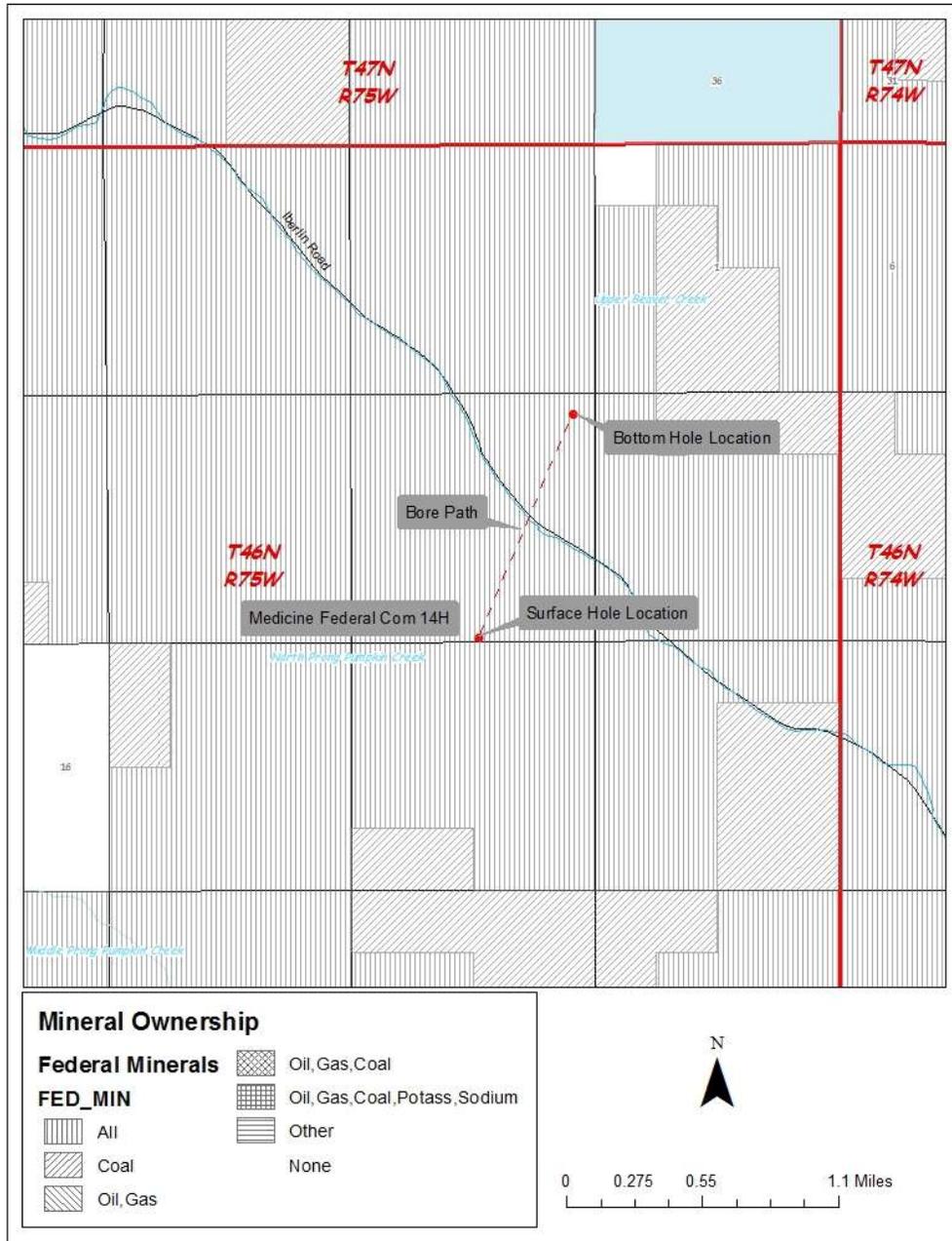


Table 1.3. Disturbance Summary Medicine Federal Com 14H:

Facility	Number or Miles	Factor	Disturbance
Engineered Pad including Cut/Fill and Topsoil/Spoil Piles	400 ft x 400 ft	160,000 sq ft (pad surface)	3.67 acres (pad surface) 6.0 acres (total)
Improved Template Roads No Corridor	3144 ft x 50 ft	157,200 sq ft	3.61 acres
Total Surface Disturbance			9.61 acres

This pad size is within the analysis parameters of the PRB FEIS to conduct safe operations and given the general industry practice to drill multiple horizontal wells from a pad – thus reducing the surface disturbance per well.

Plan Conformance, Compliance, and Justification with the Energy Policy Act of 2005.

The Energy Policy Act of 2005, Section 390(a) subjects oil or gas exploration or development to a rebuttable presumption that the use of a categorical exclusion under the National Environmental Policy Act (NEPA) applies. Thus BLM must use an Energy Policy Act, Section 390(b), CX unless BLM rebuts the presumption. This CX worksheet is NEPA compliance categorically excluded from an EA or EIS or their analysis; it is not an exclusion from all analysis. (40 CFR 1508.4 and BLM H-1790, p. 17.) The proposal conforms with the terms and conditions of the approved Resource Management Plan (RMP) for the public lands administered by the BLM, BFO, 1985, the PRB FEIS, 2003, and the Record of Decision (ROD) and Resource Management Amendments for the Powder River Oil and Gas Project, Amendments of 2001, 2011 as required by 43 CFR 1610.5, 40 CFR 1508.4, and 43 CFR 46.215. The Medicine Federal Com 14H and area are clearly lacking in wilderness characteristics as they are amidst extensive natural gas development. BLM finds that the conditions and environmental effects found in the senior EA and PRB FEIS remain valid. The applicable categorical exclusion from the Energy Policy Act of 2005, Section 390, is exclusion number (b)(3) which is *drilling an oil or gas well within a developed field for which an approved land use plan or any environmental document prepared pursuant to NEPA analyzed such drilling as a reasonably foreseeable activity, so long as such plan or document was approved within 5 years prior to the date of spudding the well.*

BLM has 3 requirements to use a Section 390 CX3, (BLM H-1790, Appendix 2, #3, p. 143):

- 1) The proposed APD is in a developed oil or gas field (any field with a completed confirmation well).

Table 1.4 is a list of existing/approved PODs that are within or adjacent to the Medicine Federal Com 14H project area. This information shows the reader that BLM conducted analysis.

Table 1.4. Adjacent or Overlapping Fluid Mineral POD Development NEPA, Accounting for Reasonably Foreseeable Development, and Finalized Within Anticipated Spud Date of this Project

#	POD / Well Name	NEPA Document #	# / Type Wells	Decision Date
1	Gauge	WY-070-EA09-075	75 CBNG	9/11/2009
2	Wormwood Unit 3	WY-070-EA09-068	13 CBNG	8/3/2009
3	Kuduzu West	WY-070-EA-09-003	8 CBNG	2/27/2009
4	Pumpkin Creek POD II	WY-070-EA07-186	51 CBNG	9/21/2007
5	Triangle Unit North	WY-070-EA06-282	47 CBNG	9/18/2006
6	Triangle Unit Central	WY-070-EA05-318	39 CBNG	8/4/2005
7	Bucko	WY-070-EA04-165	31 CBNG	7/16/2004
8	Double Tank	WY-070-EA02-215	56 CBNG	10/3/2002

- 2) There is an existing NEPA document (and the RMP) containing reasonably foreseeable development scenario for this action. There are several existing NEPA documents that reasonably foresaw development to spud additional wells to fill in 80 acre well-spacing. BLM reviewed these documents

and determined they considered the potential environmental effects associated with the proposed activity at a site specific level. In addition, all approved EAs tier into the PRB FEIS. The PRB EIS analyzed foreseeable development in the PRB. The PRB foreseeable development included 3,200 oil wells and drilling CBNG wells on 80 acre-spacing resulting in about 51,000 CBNG wells and over 3,200 oil wells. The Medicine Federal Com 14H well is in the foreseeable development scenario of 80 acre well-spacing that was analyzed in EAs in Table 1.4 and in the PRB FEIS's Appendix A.

Reasonably foreseeable development in the Gauge POD EA, WY-070-EA09-075, and its locality to include but not limited to the approved Medicine Federal Com 14H, will fill-in to 640-acre spacing. This supports the development anticipated in the PRB FEIS, (see narrative in Section 2, No Action Alternative).

- 3) The tiered NEPA document was finalized or supplemented within 5 years of spudding (drilling) the proposed well. This CX3 tiers to the EAs listed in Table 1.4, and those found in the table on p. 8, below. All have substantially similar surface characteristics in the short grass, sage brush shrub prairie. The oil well projects use substantially similar industry-accepted best practices.

In summary the EAs in Table 1.4 analyzed in detail the anticipated direct, indirect, residual, and cumulative effects that would result from the approval of these APDs and associated support structure in Medicine Federal Com 14H well is similar to both the qualitative and quantitative analysis in the above mentioned EAs. The BFO reviewed the EA and found that the EA considered potential environmental effects associated with the proposal at a site specific level. The APD's surface use and drilling plans are incorporated here by reference and show adequate protection of surface lands and ground water, including the Fox Hills Formation. The Wyoming Game and Fish Department's (WGFD's) Recommendations for Development of Oil and Gas Resources within Important Wildlife Habitats (2009), make no distinction between surface disturbance impacts per well type or drilling technology. BLM's position is there is a rare lack of distinction in surface disturbance impacts attributable to well type, subject to showing a distinction, not a mere difference, and this tracks to surface disturbance issues as with soils, vegetation, invasive species, wetlands, cultural resources, etc. See, State Director Reviews WY-2010-023, Part 2, p. 3, and fn. 7 and WY-2013-005, pp. 2-3. This supports national policy where no distinction exists in 43 CFR 3160 et. seq, leasing, APD Form 3160-3, and 2005's Energy Policy Act. (Kreckel 2007)

Plan of Operations

The proposal conforms to all Bureau standards and incorporates appropriate best management practices, required and designed mitigation measures determined to reduce the effects on the environment. BLM reviewed and approved a surface use plan of operations describing all proposed surface-disturbing activities pursuant to Section 17 of the Mineral Leasing Act, as amended. This CX3 worksheet also incorporates and analyzes the implementation of committed mitigation measures contained in the SUP, drilling plan, in addition to the Standard COAs found in the PRB FEIS ROD, Appendix A.

Soils, Ecological Sites, and Vegetation

Soils, ecological sites, and vegetation found in the areas of the Medicine Federal Com 14H are similar to those occurring in Gauge POD EA, 2009. Impacts anticipated occurring and mitigation considered with the implementation of the proposed action will be similar to those analyzed in the following EAs which are adjacent, overlapping, or have similar characteristics to the Medicine Federal Com 14H and are incorporated here by reference:

1. Gauge POD EA WY-070-EA09-075, Description of Affected Environment (pp. 11-12).
2. Gauge POD EA WY-070-EA09-075 Direct and Indirect, Cumulative, Residual Effects (pp. 35-36).

The above referenced sections of the Gauge POD EA analyze the historical values and settings for soils, ecological sites, and vegetation. During the time of the onsite inspections the proposed pad was on a privately owned surface which was on alluvial soils in an alfalfa agricultural field.

Wildlife

Resources consulted to identify wildlife species that may occur in the proposal area include the wildlife database compiled and managed by the BLM Buffalo Field Office (BFO), the PRB FEIS, the Wyoming Game and Fish Department (WGFD) big game and Greater Sage-Grouse (GSG) maps, and the Wyoming Natural Diversity Database (WYNDD). BLM conducted a field visit on December 11, 2012, when the biologist evaluated potential impacts to wildlife resources, and provided project recommendations. Wildlife species common to the habitat types present are noted in the PRB FEIS, p. 3-114.

Migratory bird habitat within and surrounding the proposed well pad is less than suitable for BLM special status (sensitive) migratory bird species because the vegetative community consists of dry land agriculture. No raptor nests are present within 0.5 mile of the proposal. No GSG leks are present within 2 miles of the proposal.

The wildlife biologist determined that the proposed APD, combined with the COAs are: (1) consistent with the FEIS (WY-070-02-065) and its supplements, to include biological opinion (ES-6-WY-02-F006), the RMP and its Amendments, and the above tiered EAs in Table 1.4; and (2) consistent with the effects analyzed in the site specific Endangered Species Act Section 7 consultation and does not change the determinations in that consultation. Effects to GSG (p. 6) and migratory birds (pp. 6-9) are anticipated to be similar to those discussed in the projects (all approved under one NEPA document) referenced in Table 1.5. In addition, the wildlife biologist has determined that the proposal is in compliance with Instruction Memorandum No. WY-2013-005 Interim Management Guidance for Migratory Bird Conservation Policy on Wyoming Bureau of Land Management (BLM) Administered Public Lands Including the Federal Mineral Estate.

Table 1.5. NEPA Analyses, Incorporated by Reference Here, for Wildlife Analysis

#	Well Name & #	Qtr	Sec	Twp	Rng	CX Number
1	Bonita Federal Com 11H	NENE	10	43N	73W	WY-070-390CX3-13-41
2	Cousins Federal Com 22H	SWSE	2	43N	74W	WY-070-390CX3-13-74
3	Lone Moose Federal Com 13H	NWNW	26	44N	74W	WY-070-390CX3-13-73
4	Rocky Butte Federal Com 29H	NENW	4	43N	73W	WY-070-390CX3-13-75

Water Resources

The historical use for groundwater in this area was for stock or domestic water. A search of the WSEO Ground Water Rights Database showed 9 registered stock and domestic water wells within 1 mile of the proposed wells in the project area with depths ranging from 275 to 1273 feet. For additional information on groundwater, refer to the PRB FEIS, pp. 3-1 to 3-36.

Adherence to the drilling COAs, the setting of casing at appropriate depths, following safe remedial procedures in the event of casing failure, and using proper cementing procedures should protect any fresh water aquifers above the target zone. The drilling plan proposes that the shallow ground water will be protected with the installation of surface casing installed to 1700 feet and cemented to surface, an intermediate casing string run to 5000 feet as well as the production string. The Fox Hills, an important source of groundwater in the PRB, is located at a depth of 6,414 feet. The operator will insure isolation by cementing casing across this formation. This will ensure that ground water will not be adversely impacted by well drilling and completion operations.

At the time of permitting, the volume of water that will be produced in association with these federal minerals is unknown. The operator will have to produce the wells for a time to be able to estimate the water production. In order to comply with the requirements of Onshore Oil and Gas Order #7, Disposal of Produced Water, the operator will submit a Sundry to the BLM within 90 days of first production which includes a representative water analysis as well as the proposal for water management.

Historically, the quality of water produced in association with conventional oil and gas has been such that surface discharge would not be possible without treatment. Initial water production is quite low in most cases. There are three common alternatives for water management: Re-injection, deep disposal or disposal into pits. All alternatives would be protective of groundwater resources when performed in compliance with state and federal regulations.

Cultural

In accordance with Section 106 of the National Historic Preservation Act, BLM must consider impacts to historic properties (sites that are eligible for or listed on the National Register of Historic Places (NRHP)). For an overview of cultural resources that are generally found in the BFO planning area refer to the *Draft Cultural Class I Regional Overview, Buffalo Field Office* (BLM, 2010). A Class III (intensive) cultural resource inventory (BFO project no. 70130033) was performed in order to locate specific historic properties which may be impacted by the proposal. The following resources are in or near the proposal.

Cultural Resources Located In or Near the Project Area

Site Number	Site Type	NRHP Eligibility
48CA4510	Historic Site	Not Eligible
48CA5049	Historic Site	Unevaluated
48CA6701	Historic Site	Not Eligible

Some of the project area analyzed in this EA occurs on deep alluvial deposits. Alluvial deposits typically have a high potential for buried cultural resources, which are nearly impossible to locate during a Class III inventory (Ebert & Kohler 1988:123; Eckerle 2005:43). Buried archeological sites typically preserve artifacts, features and other materials *in situ* and are often evaluated as significant resources. BLM policy states that a decision maker's first choice should be avoidance of historic properties (BLM Manual 8140.06(C)). If historic properties cannot be avoided, mitigation measures must be applied to resolve the adverse effect. Non eligible site 48CA6701 will be impacted by the proposal. No historic properties will be impacted by the proposeal. Following the State Protocol Between the *Wyoming Bureau of Land Management State Director and The Wyoming State Historic Preservation Officer*, Section VI(A)(1) the BLM notified the Wyoming State Historic Preservation Officer (SHPO) on April 2, 2013, that no historic properties exist in the area of potential effect (APE). If any cultural values (sites, features or artifacts) are observed during operation, they will be left intact and the Buffalo Field Manager notified. If human remains are noted, the procedures described in Appendix L of the PRB FEIS and ROD must be followed.

Further discovery procedures are explained in Standard COA (General)(A)(1). When a project is constructed in an area with a high potential for buried cultural material, archaeological monitoring is often included as a condition of approval. Construction monitoring is performed by a qualified archeologist working in unison with construction crews. If buried cultural resources are located by the archeologist, construction is halted and the BLM consults with the SHPO about mitigation or avoidance. Due to the presence of alluvial and/or Aeolian deposits identified by the NRCS soil survey (NRCS n.d.), and areas of High to Very High Sensitivity Zones per the PUMP III Model (Eckerle 2005), the operator will be required to have an archeologist monitor all earth moving activities associated with certain construction, as described in the site specific COAs.

List of Preparers: Persons and Agencies Consulted

Name	Agency	Title	Name	Agency	Title
Dustin Hill	BLM	NRS	Kristine Phillips	BLM	LIE
Scott Jawors	BLM	Wildlife Biologist	Jeb Tachick	Yates	Regulatory Agent
Ardeth Hahn	BLM	Archaeologist	Saunda Phillips	Yates	Land Agent
Will Robbie	BLM	Petroleum Engineer	Trent Knez	Yates	Drilling Supervisor
Mike Garrett	BLM	Geologist	Mary Hopkins	WY SHPO	WY SHPO Officer

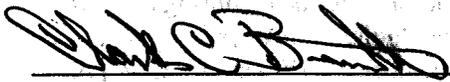
This CX Worksheet also Tiers to and Incorporates by Reference the following:

#	Project/ POD/ Well Name	NEPA Document #	#/ Type Wells	Decision Date
1	W Pine Tree U-Kokanee	WY-070-EA06-114	31 CBNG	6/2007
2 ^a	Mufasa Fed 11-31H Well	WY-070-EA12-062	1 Oil	3/2012
3	Valerie POD	WY-070-EA12-68	9 Oil	3/2012
4	Spruce 1 POD	WY-070-CX3-12-95 & -107	2 Oil	5/2012
5 ^b	Crazy Cat East	WY-070-EA13-028	24 Oil Well Pads	2/2013
6	Sahara POD	WY-070-EA13-72	21 Oil (12 Pads)	3/05/13

- a. Sections describing and analyzing hydraulic fracturing, its analysis, and the GSG Section 3.7.12 and 4.8.2.
- b. Sections describing and analyzing hydraulic fracturing and its supporting analysis to include but not limited to traffic, water, and air quality.

Decision and Rationale on the Proposal.

The COAs provide mitigation and further the justification for this decision and may not be segregated from project implementation without further NEPA review. I reviewed the plan conformance statement and determined that the proposed Medicine Federal Com 14H CX3 APD and infrastructure conform to the applicable land use plan, 43 CFR 1610.5, 40 CFR 1508.4, and 43 CFR 46.215. I reviewed the proposal to ensure the appropriate exclusion category as described in Section 390 of the Energy Policy Act of 2005 is correct. I determined that there is no requirement for further environmental analysis.



 Field Manager

5/17/13

 Signature Date

Contact Person, Dustin Hill, Natural Resource Specialist, Buffalo Field Office, 1425 Fort Street, Buffalo WY 82834, 307-684-1059.