



In Reply To:

## United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Montana State Office  
5001 Southgate Drive, P.O. Box 36800  
Billings, Montana 59107-6800  
<http://www.mt.blm.gov/>



MTM 93481

### Notice of Competitive Lease Sale Oil and Gas

**July 27, 2004**

The Montana State Office is holding a competitive oral sale of Federal lands in the States of Montana, North Dakota and South Dakota for oil and gas leasing. We are attaching a list that includes the parcel numbers, legal land descriptions and corresponding stipulations. The list is available on the Internet at: <http://www.mt.blm.gov/oilgas>.

#### **When and where will the sale take place?**

- When:** The competitive sale begins at 9:00 a.m. on Tuesday, July 27, 2004. The sale room opens at 8:00 a.m. for registration and assignment of bidder numbers.
- Where:** We will hold the sale at the Bureau of Land Management, Montana State Office, 5001 Southgate Drive, Billings, Montana. Parking is available.
- Access:** The sale room is accessible to persons with disabilities. If you need a sign language interpreter or materials in an alternate format, please tell us no later than one week before the day of the sale. You may contact Joan Seibert at (406) 896-5093 or Elaine Kaufman at (406) 896-5108.

#### **How do I register as a bidder?**

Before the sale starts, you must complete a bidder registration form to obtain a bidding number. The forms are available at the registration desk.

#### **What is the sale process?**

Starting at 9:00 a.m. on the day of the sale:

- the auctioneer offers the parcels in the order they are shown on the attached list;
- registered bidders make oral bids on a per-acre basis for all acres in a parcel;
- the winning bid is the highest oral bid equal to or exceeding the minimum \$2.00 bid;
- the decision of the auctioneer is final; and
- names of high bidders (lessees) remain confidential until the results list is available.

If a parcel contains fractional acreage, round it up to the next whole acre. For example, a parcel of 100.48 acres requires a minimum bid of \$202 (101 acres x \$2).

If the United States owns less than 100 percent of the oil and gas rights in a parcel, we will issue the lease for the percentage of interest the United States owns. You must calculate your bid and advance rental payment on the gross acreage in the parcel. For example, if the U.S. owns 50 percent of the oil and gas in a 100.48 acre parcel, the minimum bid is \$202 (101 acres x \$2) and the advance rental due is \$151.50 (101 acres x \$1.50).

What conditions apply to the lease sale?

- **Parcel withdrawal or sale cancellation:** We reserve the right to withdraw any or all parcels before the sale begins. If we withdraw parcels or cancel a sale, we will post a notice in our Public Records and Information Center and announce the withdrawn parcels at the sale.
- **Lease terms:** Leases issue for a primary term of 10 years. They continue beyond the primary term as long as the lease is producing in paying quantities or receiving production from another source. Rental is \$1.50 per acre for the first 5 years (\$2 per acre after that) until production begins. Once a lease is producing, we charge a royalty of 12.5 percent on the production removed or sold from the lease. You will find other lease terms on our standard lease form (Form 3100-11, June 1988 or later edition).
- **Stipulations:** Some parcels are subject to surface use restrictions or conditions affecting how you conduct operations on the lands. The stipulations become part of the lease and replace any inconsistent provisions of the lease form.
- **Bid form:** On the day of the sale, successful bidders must submit a properly completed lease bid form (Form 3000-2, October 1989 or later edition) along with their payment. The bid form is a legally binding offer to accept a lease and all its terms and conditions. When the prospective lessee or an authorized representative signs the bid form, they certify the lessee meets the conditions of 43 CFR 3102.5-2 and complies with 18 U.S.C. 1860, a law that prohibits unlawful combinations, intimidation of bidders, and collusion among bidders. You cannot withdraw your bid.
- **Payment:**
  - **minimum due by 4:00 p.m. on day of sale:**
    - Bonus bid deposit of \$2.00 per acre or fraction thereof;
    - First year's rent of \$1.50 per acre or fraction thereof except for future interest parcels; and
    - \$75 nonrefundable administrative fee
  - **remaining balance due by 4:00 p.m. August 10, 2004**
    - If you don't pay in full by this date, you lose the right to the lease and all the money you paid the day of the sale. We may offer the parcel in a future sale.
- **Method of payment:** You can pay by:
  - personal check;
  - cashier's check;
  - money order; or
  - credit card (Visa, Mastercard, American Express or Discover).

Make checks payable to: **Department of the Interior-BLM.** We do not accept cash. If you previously paid us with a check backed by insufficient funds, we will require a guaranteed payment, such as a cashier's check.

- **Lease issuance:** After we receive the bid forms and all monies due, we can issue the lease. The lease effective date is the first day of the month following the month we sign it. We can make the lease effective the first day of the month in which we sign it, if you ask us in writing before we sign the lease.

### **How can I find out the results of this sale?**

The sale results are posted in our Public Records and Information Center and the Internet at: <http://www.mt.blm.gov/oilgas>. You can buy a \$5/\$10 printed copy of the results list from the Public Records and Information Center.

### **How do I file a noncompetitive offer after the sale?**

Lands that do not receive a bid and are not subject to a pre-sale offer are available for a two-year period beginning the day after the sale. To file a noncompetitive offer, you must submit:

- three copies of standard lease form (Form 3100-11, June 1988 or later edition) with lands described as specified in our regulations at 43 CFR 3110.5;
- \$75 nonrefundable administrative fee; and
- first year's advance rental (\$1.50 per acre or fraction thereof)

Place offers filed on the day of the sale and the first business day after the sale in the drop box in the Public Records and Information Center. We consider these offers simultaneously filed. When a parcel receives more than one filing by 4 p.m. on the day after the sale, we will hold a drawing to determine the winner. Offers filed after this time period, receive priority according to the date and time of filing in this office.

### **How do I file a noncompetitive pre-sale offer?**

Under our regulations at 43 CFR 3110.1(a), you may file a noncompetitive pre-sale offer for lands that:

- are available; and
- have not been under lease during the previous one-year period; or
- have not been in a competitive lease sale within the previous two-year period.

Once we post a competitive sale notice, you cannot file a pre-sale offer for lands shown on the notice.

To file a pre-sale offer, you must submit:

- three copies of standard lease form (Form 3100-11, June 1988 or later edition) with lands described as specified in our regulations at 43 CFR 3110.5;
- \$75 nonrefundable administrative fee; and
- first year's advance rental (\$1.50 per acre or fraction thereof)

If we don't receive a bid at the sale for the parcel(s) contained in your pre-sale offer, we will issue the lease. You can withdraw your offer prior to the date we sign your lease. Your pre-sale offer is your consent to the terms and conditions of the lease, including any additional stipulations advertised in the Competitive Sale Notice.

### **Where can I obtain information pertaining to the individual Forest Service Stipulations?**

The applicable Forest Service Environmental Impact Studies (EIS) describe stipulations for parcels located within the administrative boundary of the Forest Service units. The Geographic Information System (GIS) maps of the stipulations may be viewed at the following Forest Service offices:

- The individual District Ranger's Office identified in the stipulation listing included with this sale notice,  
or

- The individual Forest Supervisor's Office identified in the stipulation listing included with this sale notice,  
or
- Forest Service, Region One Office, 200 East Broadway, Missoula, Montana

**How do I nominate lands for future sales?**

- file a letter with this office describing the lands you want put up for sale;
- file a pre-sale offer

**Who should I contact if I have a question?**

For more information, contact Trish Cook at (406) 896-5110.

**When is the next competitive oil and gas lease sale scheduled in Montana?**

We are tentatively holding our next competitive sale on September 28, 2004.

Karen L. Johnson, Chief  
Fluids Adjudication Section

**OFFICIAL POSTING DATE MUST BE ON OR BEFORE June 11, 2004**

The official posting date will be noted on the copy posted in the Information Access Center of the Bureau of Land Management, Billings, Montana.

**PUBLIC NOTICE**

Any noncompetitive offers received for lands that are listed on the Notice from the time the list is officially posted in the Montana State Office Public Room until the first business day following the completion of the sale will be rejected as unavailable for filing per 43 CFR 3110.1(a)(ii).

THE FOLLOWING NOTICE WILL BE ATTACHED TO ALL ISSUED LEASES

**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.**



ALL LANDS ARE LISTED IN TOWNSHIP AND RANGE ORDER

MONTANA

**07-04-01** PD  
T. 18 N, R. 11 E, PMM, MT  
sec. 1 LOTS 1,2,3,6,7,8,10;  
1 S2NE;  
2 NESW,S2S2;  
12 N2,N2SW,SWSW;  
13 LOTS 4,5,6;  
13 NWSE;  
Judith Basin 1161.95 AC  
Stipulations: Standard, TES

**07-04-05** PD  
T. 19 N, R. 11 E, PMM, MT  
sec. 23 S2S2;  
24 NE,N2NW;  
25 NW,N2S2;  
26 N2,NESE;  
35 SENE;  
Judith Basin 1120.00 AC  
Stipulations: Standard, TES

**07-04-02** PD  
T. 18 N, R. 11 E, PMM, MT  
sec. 3 SESE;  
4 LOTS 6,10;  
9 SWSE;  
10 SENE,NESE;  
11 NENE,W2NW,NWSW;  
Judith Basin 406.04 AC  
Stipulations: Standard, TES

**07-04-06** PD  
T. 18 N, R. 12 E, PMM, MT  
sec. 4 LOTS 3-7 INCL, EXCL  
15.45 AC IN RR ROW;  
5 LOT 3;  
5 SENW,E2SW;  
6 LOTS 2,3,10;  
7 LOT 7;  
7 SWNE,SENW;  
8 E2NW,NESW;  
9 LOTS 3,4,5,6 EXCL  
12.73 AC IN RR ROW;  
Judith Basin 858.23 AC  
Stipulations: Standard, TES

**07-04-03** PD  
T. 19 N, R. 11 E, PMM, MT  
sec. 11 SENE,NESE;  
12 N2NE,S2N2,N2S2;  
13 S2NE,S2SW;  
14 S2SE;  
Chouteau 480.00 AC  
Judith Basin 240.00 AC  
Stipulations: Standard, TES

**07-04-07** PD  
T. 19 N, R. 12 E, PMM, MT  
sec. 1 LOTS 3,4;  
1 SWSW;  
2 LOTS 1,2,3,4;  
2 S2S2;  
11 N2 EXCL 12.73 AC IN  
RR ROW;  
12 S2NE,S2;  
Chouteau 675.76 AC  
Fergus 400.00 AC  
Stipulations: Standard, TES

**07-04-04** PD  
T. 19 N, R. 11 E, PMM, MT  
sec. 22 S2SE;  
27 N2NE;  
28 NENE;  
33 SENW;  
34 SENE;  
Judith Basin 280.00 AC  
Stipulations: Standard, TES

EXPLANATION 1/, 2/, SEE PAGE 13

**07-04-08** PD  
 T. 19 N, R. 12 E, PMM, MT  
 sec. 3 LOTS 1,2,3,4;  
 3 S2S2;  
 4 LOTS 1,2,3,4;  
 4 S2S2;  
 9 ALL;  
 10 ALL EXCL 12.73 AC IN  
 RR ROW;  
 Chouteau 1828.35 AC  
 Stipulations: Standard, TES

**07-04-09** PD  
 T. 19 N, R. 12 E, PMM, MT  
 sec. 5 LOTS 1,2,3,4;  
 5 SESW,S2SE;  
 6 LOTS 1-5 INCL;  
 6 SESW,S2SE;  
 7 LOTS 1,2,3;  
 7 E2NE,NENW;  
 8 NE,E2NW,N2SE,SESE;  
 Chouteau 1165.90 AC  
 Stipulations: Standard, TES

**07-04-10** PD  
 T. 19 N, R. 12 E, PMM, MT  
 sec. 13 N2,N2SW,SWSW,NESE;  
 14 NE,S2NW,S2;  
 15 NWNW EXCL 1.36 AC IN  
 RR ROW;  
 15 SENE,S2;  
 21 NWNW;  
 22 N2NE,SENE;  
 23 NWNE,N2NW;  
 Chouteau 1718.64 AC  
 Stipulations: Standard, TES

**07-04-11** PD  
 T. 19 N, R. 12 E, PMM, MT  
 sec. 17 SWNW,S2;  
 18 LOTS 2,3;  
 18 SENE,NESW;  
 19 LOT 2;  
 19 S2NE,SENE,SESW;  
 20 N2,N2SW;  
 Judith Basin 1122.51 AC  
 Stipulations: Standard, TES

**07-04-12** PD

T. 19 N, R. 12 E, PMM, MT  
 sec. 27 W2;  
 28 NWNW,SWSW;  
 33 W2 EXCL 25.78 AC IN  
 RR ROW;  
 33 S2NE,N2SE,SWSE;  
 34 SWNW,NWSW;  
 Fergus 974.22 AC  
 Stipulations: Standard, TES

**07-04-13** PD  
 T. 19 N, R. 12 E, PMM, MT  
 sec. 29 NENE,S2NE,W2NW,SESW,  
 NWSE;  
 30 LOT 1;  
 30 NE,NENW,SWSE;  
 31 LOTS 1,2,3,4;  
 31 W2NE,E2W2,SE;  
 32 SENE,NENW,S2NW,S2;  
 Judith Basin 1605.61 AC  
 Stipulations: Standard, TES

**07-04-14** PD  
 T. 20 N, R. 12 E, PMM, MT  
 sec. 23 LOTS 1-8 INCL;  
 25 LOTS 3,4,6,7,9,10;  
 25 W2NW;  
 26 LOTS 1,2,3,7;  
 26 W2NE;  
 34 LOTS 3-8 INCL;  
 34 NESW,S2SW;  
 35 LOT 1;  
 35 NWSW,S2SW;  
 Chouteau 1168.62 AC  
 Stipulations: Standard, TES

**07-04-15** PD  
 T. 19 N, R. 13 E, PMM, MT  
 sec. 2 LOTS 3,4,5,6;  
 2 NESW;  
 3 LOTS 1,2;  
 3 S2;  
 10 LOTS 2,3,4,5,7,8;  
 10 S2NW,N2SW;  
 Fergus 904.14 AC  
 Stipulations: Standard, TES

**07-04-16** PD  
 T. 19 N, R. 13 E, PMM, MT

sec. 4 S2S2;  
9 LOTS 1,2,3,4;  
9 N2,N2S2;  
Fergus 800.24 AC  
Stipulations: Standard, TES

12 LOTS 2,3,4,5,  
7-14 INCL;  
14 N2NE,SENE;  
Chouteau 859.00 AC  
Stipulations: Standard, TES

**07-04-17** PD  
T. 19 N, R. 13 E, PMM, MT  
sec. 5 LOTS 3,4;  
5 S2;  
7 LOTS 1,2,3,4;  
7 E2,E2NW,NESW;  
Fergus 925.90 AC  
Stipulations: Standard, TES

**07-04-22** PD  
T. 20 N, R. 13 E, PMM, MT  
sec. 25 LOTS 3-20 INCL;  
25 E2W2;  
Fergus 848.28 AC  
Stipulations: Standard, TES

**07-04-18** PD  
T. 19 N, R. 13 E, PMM, MT  
sec. 8 N2,E2SW,SE;  
17 LOTS 5,10;  
18 LOTS 1,2;  
18 N2NE;  
Fergus 786.12 AC  
Stipulations: Standard, TES

**07-04-23** PD  
T. 20 N, R. 14 E, PMM, MT  
sec. 1 S2SE;  
11 NE,N2NW,SENE,S2;  
12 N2,SW,W2SE;  
Fergus 1240.00 AC  
Stipulations: Standard, TES

**07-04-19** PD  
T. 20 N, R. 13 E, PMM, MT  
sec. 7 LOTS 2,3;  
7 SENE,E2SW,N2SE,SWSE;  
8 S2NW,SW;  
17 SWNW,SW;  
18 SESW,SE;  
Chouteau 951.20 AC  
Stipulations: Standard, TES

**07-04-24** PD  
T. 20 N, R. 14 E, PMM, MT  
sec. 3 LOTS 2,3,4;  
4 LOTS 1,2;  
4 S2S2;  
5 SESW,S2SE;  
9 N2;  
10 SWNW;  
Chouteau 819.51 AC  
Stipulations: Standard, TES

**07-04-20** PD  
T. 20 N, R. 13 E, PMM, MT  
sec. 10 LOT 2;  
10 E2NE;  
15 LOTS 2,3,4;  
Chouteau 195.34 AC  
Stipulations: Standard, TES

**07-04-25** PD  
T. 20 N, R. 14 E, PMM, MT  
sec. 7 LOTS 2,3,4;  
7 SENW,E2SW,NWSE,S2SE;  
8 E2,E2NW,SWNW,SW;  
17 N2NE,NW;  
18 LOTS 1,2,3;  
18 NE,E2NW,NESW;  
Chouteau 1560.22 AC  
Stipulations: Standard, TES

**07-04-21** PD  
T. 20 N, R. 13 E, PMM, MT  
sec. 11 SWNW,SW,S2SE;

**07-04-26** PD  
T. 20 N, R. 14 E, PMM, MT  
sec. 13 SENE,NESE;  
14 N2NW;

23 S2NE, SESW, SE;  
24 SWNE, S2NW, N2SW, SWSW;  
25 W2NW, NWSW, SWSE;  
Fergus 840.00 AC  
Stipulations: Standard, TES

**07-04-27** PD  
T. 20 N, R. 14 E, PMM, MT  
sec. 15 N2, SW, W2SE;  
21 NENE, W2NE, NENW, S2NW,  
W2SW;  
22 W2NE, NWNW;  
28 NWNW;  
Fergus 1040.00 AC  
Stipulations: Standard, TES

**07-04-28** PD  
T. 20 N, R. 14 E, PMM, MT  
sec. 20 SENE, NESW, S2SW, SE;  
29 N2, E2SW, W2SE;  
31 LOTS 1, 2, 3, 4;  
31 W2NE, E2W2;  
Fergus 1180.28 AC  
Stipulations: Standard, TES

**07-04-29** PD  
T. 21 N, R. 14 E, PMM, MT  
sec. 1 LOTS 2, 3, 4;  
1 SWNE, S2NW, S2;  
3 LOT 1;  
11 NWNE, N2NW;  
12 NE, N2NW, SWNW, NWSW,  
NESE;  
Chouteau 1081.19 AC  
Stipulations: Standard, TES

**07-04-30** PD  
T. 21 N, R. 14 E, PMM, MT  
sec. 13 NWNW, S2NW, SW, NWSE,  
S2SE;  
14 E2E2, NWNE, NENW, SWNW;  
24 N2, E2SE;  
Chouteau 1080.00 AC  
Stipulations: Standard, TES

**07-04-31** PD  
T. 21 N, R. 14 E, PMM, MT  
sec. 21 SESE;  
23 N2NE, SWNE, SENW, S2S2;  
27 NENE, S2NE, SENW, NESW,

S2SW, SE;  
Chouteau 800.00 AC  
Stipulations: Standard, TES

**07-04-32** PD  
T. 21 N, R. 14 E, PMM, MT  
sec. 25 NE, N2NW, NESW, N2SE;  
26 N2N2, SENE, SWNW, NWSW,  
N2SE;  
35 NWNE, S2NE, NW, NESE;  
Chouteau 1040.00 AC  
Stipulations: Standard, TES

**07-04-33** PD  
T. 21 N, R. 14 E, PMM, MT  
sec. 32 E2SW, N2SE, SWSE;  
33 S2NE, NW, N2SW, SE;  
34 N2, SW, NWSE, S2SE;  
Chouteau 1280.00 AC  
Stipulations: Standard, TES

**07-04-34** PD  
T. 10 N, R. 22 E, PMM, MT  
sec. 3 SWNE, SENW, N2SW, SWSW;  
4 LOTS 3, 4;  
4 N2SE;  
5 LOTS 1, 2, 3, 4;  
5 SWNE, S2NW;  
6 LOT 1;  
7 NESW, N2SE;  
12 SW, W2SE;  
17 N2N2, SWNW, NWSW;  
Musselshell 1281.74 AC  
Stipulations: Lease Notice-1,  
NSO-1, TES

**07-04-35** PD  
T. 10 N, R. 27 E, PMM, MT  
sec. 2 NESE, S2SE;  
4 LOTS 1, 2, 3, 4;  
4 S2NW, SW, S2SE;  
6 LOT 1;

6 SENE;  
12 LOT 4;  
12 NWNE, NENW, W2W2, SWSE;  
14 SWSW;  
24 SESW;  
Musselshell 1117.97 AC  
Stipulations: Lease Notice-2,  
NSO-1,2, TES,  
Timing-1

**07-04-36** ACQ  
T. 10 N, R. 27 E, PMM, MT  
sec. 26 ALL;  
34 NE;  
35 LOTS 1,2,3,4;  
35 N2,N2S2;  
Musselshell 1388.12 AC  
Stipulations: CSU-1,  
Lease Notice-2,3,  
NSO-1,3, TES

**07-04-37** ACQ  
T. 10 N, R. 27 E, PMM, MT  
sec. 28 ALL;  
29 S2;  
32 LOTS 1,2,3,4;  
32 NWSW;  
Musselshell 1142.20 AC  
Stipulations: Lease Notice-2,  
TES, Timing-2

**07-04-38** ACQ  
T. 11 N, R. 27 E, PMM, MT  
sec. 6 LOTS 1-7 INCL;  
6 S2NE, SENW, E2SW, SE;  
10 NENW;  
22 SWSE;  
Musselshell 687.84 AC  
Stipulations: Lease Notice-1,  
NSO-1, TES

**07-04-39** PD  
T. 11 N, R. 27 E, PMM, MT  
sec. 18 NENE;  
Musselshell 40.00 AC  
Stipulations: Lease Notice-1,  
TES

**07-04-40** ACQ  
T. 36 N, R. 31 E, PMM, MT  
sec. 3 LOTS 2,3,4;  
3 SW;

Phillips 310.70 AC  
Stipulations: Standard, TES

This parcel contains a shut-in gas well (Federal No. 0361-2, API No. 2507121850) located in the SWSW of Section 3, T. 36 N., R. 31 E. This well is located in the East Loring Field and was drilled and completed in the Bowdoin and Greenhorn/Phillips Formations in 1982. It last produced in 1993 and averaged around 50 MCF per day. It has a cumulative production of 178,171 MCF. This well is surrounded by 19 producing gas wells in the adjacent sections. For more information regarding this well, please contact Don Judice in our Great Falls Field Station at (406) 791-7789.

Prior to issuance of the lease for this parcel, the successful bidder must provide adequate bond coverage in accordance with 43 CFR 3104.

**07-04-41** PD  
**Presale Offer: MTM 93320**  
T. 26 N, R. 34 E, PMM, MT  
sec. 1 LOTS 1,2,3,4;  
1 S2N2, S2;  
11 ALL;  
12 ALL;

Valley 1921.20 AC  
Stipulations: Standard, TES

**07-04-42** PD  
**Presale Offer: MTM 93320**  
T. 26 N, R. 34 E, PMM, MT  
sec. 13 ALL;  
14 ALL;  
23 ALL;  
24 ALL;

Valley 2560.00 AC

Stipulations: Standard, TES

**07-04-43**

**Presale Offer: MTM 93320**

T. 26 N, R. 34 E, PMM, MT

- sec. 25 ALL;
- 26 ALL;
- 35 ALL;

Valley 1920.00 AC

Stipulations: Standard, TES

PD

**07-04-48**

**Presale Offer: MTM 93319**

T. 26 N, R. 35 E, PMM, MT

- sec. 1 LOTS 1,2,3,4;
- 1 S2N2,S2;
- 2 LOTS 1,2,3,4;
- 2 S2N2,S2;
- 12 ALL;

Valley 1926.40 AC

Stipulations: Standard, TES

PD

**07-04-44**

**Presale Offer: MTM 93318**

T. 27 N, R. 34 E, PMM, MT

- sec. 13 ALL;
- 14 ALL;
- 24 ALL;

Valley 1920.00 AC

Stipulations: Standard, TES

PD

**07-04-49**

**Presale Offer: MTM 93317**

T. 26 N, R. 35 E, PMM, MT

- sec. 3 LOTS 1,2,3,4;
- 3 S2N2,S2;
- 10 ALL;
- 11 ALL;

Valley 1924.68 AC

Stipulations: Standard, TES

PD

**07-04-45**

**Presale Offer: MTM 93318**

T. 27 N, R. 34 E, PMM, MT

- sec. 15 ALL;
- 22 ALL;
- 23 ALL;

Valley 1920.00 AC

Stipulations: Standard, TES

PD

**07-04-50**

**Presale Offer: MTM 93317**

T. 26 N, R. 35 E, PMM, MT

- sec. 4 LOTS 1,2,3,4;
- 4 S2N2,S2;
- 5 LOTS 1,2,3,4;
- 5 S2N2,S2;
- 9 ALL;

Valley 1931.08 AC

Stipulations: Standard, TES

PD

**07-04-46**

**Presale Offer: MTM 93316**

T. 27 N, R. 34 E, PMM, MT

- sec. 17 N2,SW,W2SE;
- 18 LOTS 1,2,3,4;
- 18 E2,E2W2;
- 19 LOTS 1,2,3,4;
- 19 E2,E2W2;

Valley 1812.64 AC

Stipulations: Standard, TES

PD

**07-04-47**

**Presale Offer: MTM 93318**

T. 27 N, R. 34 E, PMM, MT

- sec. 25 ALL;
- 26 ALL;

Valley 1280.00 AC

Stipulations: Standard, TES

PD

**07-04-51**

**Presale Offer: MTM 93317**

T. 26 N, R. 35 E, PMM, MT

- sec. 8 ALL;
- 17 ALL;
- 20 ALL;

Valley 1920.00 AC

Stipulations: Standard, TES

PD

**07-04-52** PD  
**Presale Offer: MTM 93317**  
T. 26 N, R. 35 E, PMM, MT  
sec. 14 ALL;  
15 ALL;  
21 ALL;  
Valley 1920.00 AC  
Stipulations: Standard, TES

sec. 14 ALL;  
32 LOTS 1,2,3,4;  
32 N2,N2S2;  
Custer 1269.80 AC  
Stipulations: TES, Timing-1

**07-04-53** PD  
**Presale Offer: MTM 93317**  
T. 26 N, R. 35 E, PMM, MT  
sec. 28 ALL;  
33 ALL;  
Valley 1280.00 AC  
Stipulations: Standard, TES

**07-04-58** PD  
T. 2 N, R. 53 E, PMM, MT  
sec. 4 W2;  
6 LOTS 1,2,3,4;  
6 E2,E2W2;  
8 ALL;  
Custer 1536.28 AC  
Stipulation: TES

**07-04-54** PD  
**Presale Offer: MTM 93317**  
T. 26 N, R. 35 E, PMM, MT  
sec. 29 ALL;  
32 ALL;  
Valley 1280.00 AC  
Stipulations: Standard, TES

**07-04-59** PD  
T. 2 N, R. 53 E, PMM, MT  
sec. 12 N2NW,SWNW,E2E2,SWSE;  
14 W2;  
18 LOTS 1,2,3,4;  
18 E2,E2W2;  
Custer 1224.72 AC  
Stipulations: CSU-1, TES

**07-04-55** PD  
**Presale Offer: MTM 93319**  
T. 27 N, R. 35 E, PMM, MT  
sec. 13 ALL;  
14 ALL;  
15 ALL;  
Valley 1920.00 AC  
Stipulations: Standard, TES

**07-04-56** PD  
T. 1 N, R. 53 E, PMM, MT  
sec. 2 E2;  
10 S2;  
12 ALL;  
Custer 1280.00 AC  
Stipulations: CSU-2, TES

**07-04-60** PD  
T. 1 N, R. 54 E, PMM, MT  
sec. 4 BED POWDER RVR RIPAR  
TO LOT 2 DESC BY  
M&B 1/  
4 LOT 2;  
4 NENW;  
6 LOTS 3,4;  
6 E2SW;  
8 NWNW;  
10 BED POWDER RVR RIPAR  
TO LOTS 1,2 DESC BY

**07-04-57** PD  
T. 1 N, R. 53 E, PMM, MT

M&B 1/;  
10 LOTS 1,2;  
10 SENE, SESW, SE;  
Custer 557.869 AC  
Stipulations: CSU-2, NSO-1, TES

sec. 28 S2;  
32 LOTS 1-7 INCL;  
32 W2NE, N2SW, NWSE;  
Custer 801.84 AC  
Stipulations: CSU-2, TES

**07-04-61** PD  
T. 1 N, R. 54 E, PMM, MT  
sec. 14 W2;  
22 W2NW, SW, SWSE;  
24 ALL;  
Custer 1240.00 AC  
Stipulations: CSU-2, TES

**07-04-65** PD  
T. 2 N, R. 54 E, PMM, MT  
sec. 2 LOTS 1,2,3,4;  
2 S2NE, SENW, E2SW, SE;  
12 ALL;  
14 SE;  
Custer 1324.19 AC  
Stipulations: CSU-2,3, TES

**07-04-62** PD  
T. 1 N, R. 54 E, PMM, MT  
sec. 16 BED POWDER RVR RIPAR  
TO LOTS 1-10 INCL  
DESC BY M&B 1/;  
18 BED POWDER RVR RIPAR  
TO LOT 5 DESC BY  
M&B 1/;  
18 LOTS 1-5 INCL;  
18 E2NW, NESW;  
20 BED POWDER RVR RIPAR  
TO LOTS 1,4 DESC BY  
M&B 1/;  
20 LOTS 1,4;  
30 BED POWDER RVR RIPAR  
TO LOT 2 DESC BY  
M&B 1/;  
30 LOTS 2,11;  
Custer 476.681 AC  
Stipulations: CSU-2, NSO-1, TES

**07-04-66** PD  
T. 2 N, R. 54 E, PMM, MT  
sec. 8 SWNW, SW, W2SE, SESE;  
10 BED POWDER RVR RIPAR  
TO LOTS 1,2,3,4 DESC  
BY M&B 1/;  
10 LOTS 1,2,3,4;  
10 SWSW, SE;  
16 BED POWDER RVR RIPAR  
TO LOTS 1-11 INCL  
DESC BY M&B 1/;  
Custer 699.077 AC  
Stipulations: CSU-2, NSO-1, TES

**07-04-63** PD  
T. 1 N, R. 54 E, PMM, MT  
sec. 25 SENE, SESW, NESE, S2SE;  
34 LOTS 1,2,3,4;  
34 N2, N2S2;  
35 LOT 1;  
35 SENE, NESE;  
Custer 958.03 AC  
Stipulations: CSU-2, TES

**07-04-67** PD  
T. 2 N, R. 54 E, PMM, MT  
sec. 22 BED POWDER RVR RIPAR  
TO LOTS 1,2,3,4,7  
DESC BY M&B 1/;  
22 LOTS 1,2,3,4,7;  
23 NESW;  
24 ALL;  
Custer 790.619 AC  
Stipulations: CSU-2, NSO-1, TES

**07-04-64** PD  
T. 1 N, R. 54 E, PMM, MT

**07-04-68** PD  
T. 2 N, R. 54 E, PMM, MT

sec. 30 LOTS 1,2;  
30 NE,E2NW;  
32 N2N2,SENE,E2SE;  
Custer 592.52 AC  
Stipulations: CSU-2, TES

**07-04-69** PD  
T. 26 N, R. 54 E, PMM, MT  
sec. 17 NESW,S2SW,SWSE;  
20 NWNE,N2NW;  
Richland 280.00 AC  
Stipulation: TES

**07-04-70** PD  
T. 2 N, R. 55 E, PMM, MT  
sec. 2 LOT 1;  
10 ALL;  
14 W2;  
Carter 1000.92 AC  
Stipulations: CSU-3, NSO-1, TES

**07-04-71** PD  
T. 2 N, R. 55 E, PMM, MT  
sec. 4 LOTS 1,2,3,4;  
4 S2N2,S2;  
6 LOTS 1-5 INCL;  
6 SENE,E2SE;  
8 ALL;  
Carter 1615.84 AC  
Stipulations: CSU-3, TES

**07-04-72** PD  
T. 2 N, R. 55 E, PMM, MT  
sec. 18 LOTS 1,2,3,4;  
18 E2E2;  
20 ALL;  
32 ALL;  
Carter 1610.28 AC  
Stipulation: TES

**07-04-73** PD  
T. 2 N, R. 55 E, PMM, MT  
sec. 22 ALL;  
28 ALL;  
34 ALL;

Carter 1920.00 AC  
Stipulations: CSU-3, NSO-1, TES

**07-04-74** PD  
T. 2 N, R. 55 E, PMM, MT  
Sec. 24 ALL;  
26 ALL;  
Carter 1280.00 AC  
Stipulations: CSU-3, TES

**07-04-75** PD  
T. 27 N, R. 57 E, PMM, MT  
sec. 17 S2NW,NESW;  
Roosevelt 120.00 AC  
Stipulations: CSU-2, TES

**NORTH DAKOTA**

**07-04-76** ACQ  
T. 140 N, R. 96 W, 5<sup>TH</sup> PM, ND  
sec. 25 TRACT IN NWNW (WEST  
563' OF NORTH 553'  
OF W2 CONTAINING  
7.15 AC);  
25 TRACT IN SWNW (SOUTH  
350' OF NORTH 1903' OF  
W2 CONTAINING  
3.64 AC);  
Stark 10.79 AC  
Stipulations: Standard, TES

**07-04-77** ACQ  
T. 145 N, R. 99 W, 5<sup>TH</sup> PM, ND  
sec. 4 LOTS 3, 4;  
4 S2NW, SW;  
8 E2;  
15 ALL;

McKenzie 1279.24 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-4, 5, 6,  
LN22b-4,  
NSO-4, 6, 7, Timing-3

**07-04-78** ACQ  
T. 145 N, R. 99 W, 5<sup>TH</sup> PM, ND  
sec. 5 LOTS 1, 2, 3, 4;  
5 S2N2, SW;  
17 W2, SE;

McKenzie 960.64 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-4, 5, 6,  
LN22b-4,  
NSO-4, 5, 6, Timing-3

**07-04-79** ACQ  
T. 145 N, R. 99 W, 5<sup>TH</sup> PM, ND  
sec. 7 NE;  
McKenzie 160.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-5, 6, NSO-4

**07-04-80** ACQ  
T. 145 N, R. 99 W, 5<sup>TH</sup> PM, ND  
sec. 10 N2NE, NESE, S2SE;  
McKenzie 200.00 AC  
Stipulations: R1-FS-2820-CSU 5,  
6, 7, TES

**SPLIT ESTATE 2/**

**07-04-81** ACQ  
T. 145 N, R. 99 W, 5<sup>TH</sup> PM, ND  
sec. 18 LOTS 1, 2, 3, 4;  
18 E2W2;  
McKenzie 321.60 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-5, 6, NSO-4

**07-04-82** ACQ

T. 145 N, R. 99 W, 5<sup>TH</sup> PM, ND  
sec. 19 LOTS 1, 2;  
19 E2, E2NW;  
McKenzie 480.52 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-5, 6, NSO-4

**07-04-83** ACQ  
T. 145 N, R. 99 W, 5<sup>TH</sup> PM, ND  
sec. 20 S2;  
30 SE;

McKenzie 480.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-5, 6, NSO-4

**07-04-84** ACQ  
T. 145 N, R. 99 W, 5<sup>TH</sup> PM, ND  
sec. 21 N2N2;  
McKenzie 160.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-5, 6, NSO-4

**07-04-85** ACQ  
T. 145 N, R. 99 W, 5<sup>TH</sup> PM, ND  
sec. 21 S2N2;  
McKenzie 160.00 AC  
Stipulations: R1-FS-2820-CSU-  
6, 7, TES

**SPLIT ESTATE 2/**

**07-04-86** ACQ  
T. 145 N, R. 99 W, 5<sup>TH</sup> PM, ND  
sec. 22 NW;  
McKenzie 160.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-5, 6, NSO-4,  
Timing-3

**07-04-87** ACQ  
T. 140 N, R. 101 W, 5<sup>TH</sup> PM, ND  
sec. 32 NENE;  
Billings 40.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-4, 5

**07-04-88** PD  
T. 142 N, R. 101 W, 5<sup>TH</sup> PM, ND

sec. 6 LOTS 1-7 INCL;  
6 S2NE, SENW, E2SW, SE;  
Billings 625.72 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-4, 5, 6,  
NSO-4, 5, 7

**07-04-89** PD  
T. 148 N, R. 101 W, 5<sup>TH</sup> PM, ND  
sec. 21 N2N2;  
22 SENE;  
McKenzie 200.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, NSO-4, Timing-3

**07-04-90** ACQ  
T. 148 N, R. 101 W, 5<sup>TH</sup> PM, ND  
sec. 33 E2;  
McKenzie 320.00 AC  
Stipulations: R1-FS-2820-CSU-7,  
NSO-4, TES

**SPLIT ESTATE 2/**

**07-04-91** ACQ  
T. 148 N, R. 101 W, 5<sup>TH</sup> PM, ND  
sec. 33 W2;  
34 E2NE, S2;  
McKenzie 720.00 AC  
Stipulations: R1-FS-2820-CSU5, 6,  
NSO-4, 5, TES,  
Timing-3

**SPLIT ESTATE 2/**

**07-04-92** ACQ  
T. 140 N, R. 102 W, 5<sup>TH</sup> PM, ND  
sec. 32 NE;  
Billings 160.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-5, 6,  
NSO-4, 8

**07-04-93** PD  
T. 140 N, R. 102 W, 5<sup>TH</sup> PM, ND  
sec. 32 NW, S2;

Billings 480.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-5, 6,  
NSO-4, 5, 8, Timing-3

**07-04-94** ACQ  
T. 148 N, R. 102 W, 5<sup>TH</sup> PM, ND  
sec. 30 LOTS 1, 2, 3, 4;  
30 E2, E2W2;  
32 ALL;  
McKenzie 1258.88 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-5, NSO-4,  
Timing-3

**07-04-95** ACQ  
T. 150 N, R. 102 W, 5<sup>TH</sup> PM, ND  
sec. 4 LOT 4 EXCL 2.48 AC IN  
RR ROW;  
4 S2NW, SW, W2SE;  
5 LOTS 1, 2, 3, 4;  
5 S2N2, N2S2, SESW, S2SE;  
9 LOTS 1, 2;  
9 W2NE, NW, NWSE;

McKenzie 1276.52 AC  
Stipulations: R1-FS-2820-13d, 18a

**07-04-96** ACQ  
T. 150 N, R. 102 W, 5<sup>TH</sup> PM, ND  
sec. 6 LOTS 1-7 INCL;  
6 S2NE, SENW, E2SW, SE;  
McKenzie 628.25 AC  
Stipulations: R1-FS-2820-13d, 18a

**07-04-97** PD  
T. 143 N, R. 103 W, 5<sup>TH</sup> PM, ND  
sec. 10 N2, SW;  
Golden Valley 480.00 AC  
Stipulations: R1-FS-2820-CSU-5,  
LN22c-5, NSO-4, 5,  
TES

**SPLIT ESTATE 2/**

**07-04-98** ACQ  
T. 143 N, R. 103 W, 5<sup>TH</sup> PM, ND  
sec. 12 S2;  
Golden Valley 320.00 AC

Stipulations: R1-FS-2820-13d,  
18a, CSU-5, 6, 8,  
LN22c-6, NSO-4,  
Timing-4

**07-04-99** PD  
T. 144 N, R. 103 W, 5<sup>TH</sup> PM, ND  
sec. 22 NW;  
26 E2NE, NESE;

Golden Valley 280.00 AC  
Stipulations: CSU-9, Standard, TES

**07-04-100** ACQ  
T. 148 N, R. 103 W, 5<sup>TH</sup> PM, ND  
sec. 9 SE;  
10 ALL;

McKenzie 800.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-5

**07-04-101** ACQ  
T. 150 N, R. 103 W, 5<sup>TH</sup> PM, ND  
sec. 15 ALL;

McKenzie 640.00 AC  
Stipulations: R1-FS-2820-13d,  
18a, CSU-5, 10,  
Timing-5

**SOUTH DAKOTA**

**07-04-102** PD  
T. 14 N, R. 3 E, BHM, SD  
sec. 4 LOTS 1, 2, 3, 4;  
4 S2N2, S2;

5 LOTS 1, 2, 3, 4;  
5 S2N2, S2;  
6 LOTS 1-7 INCL;  
6 S2NE, SENW, E2SW, SE;  
Butte 1914.18 AC

Stipulation: TES

**07-04-103** PD  
T. 14 N, R. 3 E, BHM, SD  
sec. 8 ALL;  
9 ALL;

Butte 1280.00 AC

Stipulation: TES

**07-04-104** PD  
T. 14 N, R. 3 E, BHM, SD  
sec. 15 ALL;  
17 ALL;

Butte 1280.00 AC  
Stipulation: TES

**07-04-105** PD  
T. 15 N, R. 3 E, BHM, SD  
sec. 29 ALL;  
30 LOTS 1, 2, 3, 4;  
30 E2, E2W2;

Harding 1265.40 AC  
Stipulations: NSO-1, TES

**07-04-106** PD  
T. 15 N, R. 3 E, BHM, SD  
sec. 31 LOTS 1, 2, 3, 4;  
31 E2, E2W2;

32 ALL;  
33 ALL;  
Harding 1908.20 AC  
Stipulation: TES

**07-04-107** PD  
T. 18 N, R. 6 E, BHM, SD  
sec. 4 S2S2;  
6 LOTS 4, 5;  
6 SE;

Harding 396.29 AC  
Stipulations: NSO-1, TES

**07-04-108** PD  
T. 19 N, R. 6 E, BHM, SD  
sec. 4 SWNE, SESW;  
5 LOT 2;

9 NENW;  
10 W2NW;  
Harding 239.50 AC  
Stipulation: TES

**07-04-109** PD  
T. 19 N, R. 6 E, BHM, SD  
sec. 19 LOTS 2, 3, 4;  
19 E2SW;  
20 E2NE;  
21 SWNE, NESW;

22 N2NW;  
 Harding 433.34 AC  
 Stipulations: NSO-1,9, TES

**07-04-110** PD  
 T. 19 N, R. 6 E, BHM, SD  
 sec. 27 SESE;  
 28 SENW, E2SW, SWSE;  
 29 NWNE;  
 31 LOTS 1,2;  
 32 S2NE;  
 33 NWNE, N2NW, SWNW;  
 Harding 555.32 AC  
 Stipulations: NSO-9, TES

**STATISTICS**

**Total Parcels:** 110  
**Total Acreage:** 109,326.706  
**No. of Parcels with Presale Offers:** 15  
**Parcel Numbers:** 07-04-41  
 07-04-42  
 07-04-43  
 07-04-44  
 07-04-45  
 07-04-46  
 07-04-47  
 07-04-48  
 07-04-49  
 07-04-50  
 07-04-51  
 07-04-52  
 07-04-53  
 07-04-54  
 07-04-55  
**Total Acres with Presale Offers:**  
 27,436

2/

All or part of the lands are split estate with title to the mineral estate held by the United States. Due to this status, the mineral estate is administered by the Bureau of Land Management (BLM). Permits and approvals will be issued by the authorized BLM Officer. A notice will be attached at lease issuance. This notice will include legal descriptions and information for filing APDs.

**FOOTNOTES**

1/ The exact metes and bounds description will be made a part of any lease issued for these lands.

## CONTROLLED SURFACE USE STIPULATION

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

Prior to surface disturbance, prairie dog colonies and complexes 80 acres or more in size will be examined to determine the absence or presence of black-footed ferrets. The findings of this examination may result in some restrictions to the operator's plans or may even preclude use and occupancy that would be in violation of the Endangered Species Act (ESA) of 1973.

The lessee or operator may, at their own option, conduct an examination on the leased lands to determine if black-footed ferrets are present, or if the proposed activity will have an adverse effect, or if the area can be cleared. This examination must be done by or under the supervision of a qualified resource specialist approved by the Surface Management Agency (SMA).

An acceptable report must be provided to the SMA documenting the presence or absence of black-footed ferrets and identifying the anticipated effects of the proposed action on the black-footed ferret and its habitat. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

For the purpose of:

To assure compliance with the Endangered Species Act (ESA), by locating and protecting black-footed ferrets and their habitat.

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-36	T 10 N, R 27 E, PMM sec 35 E2NE
07-04-59	T 2 N, R 53 E, PMM sec 18 LOT 4

CSU-1

## CONTROLLED SURFACE USE STIPULATION

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

All surface-disturbing activities, semi-permanent and permanent facilities in VRM Class II, areas may require special design, including location, painting, and camouflage, to blend with the natural surroundings and meet the visual quality objectives for the area.

On the lands described below:

For the purpose of:

To control the visual impacts of activities and facilities within acceptable levels.

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-56	T 1 N, R 53 E, PMM sec 10 S2 12 ALL
07-04-60	T 1 N, R 54 E, PMM sec 4 LOT 2 4 NENW 8 NWNW 10 LOT 1 10 SENE, SESW, SE
07-04-61	T 1 N, R 54 E, PMM sec 14 W2 22 W2NW, SW, SWSE
07-04-62	T 1 N, R 54 E, PMM sec 16 BED POWDER RVR RIPAR TO LOTS 1-19 INCL. 18 LOTS 1, 2, 3, 4, 5 18 E2NW, NESW 20 LOT 1 20 BED POWDER RVR RIPAR TO LOTS 1, 4 30 LOTS 2, 11
07-04-63	T 1 N, R 54 E, PMM sec 25 SENE, SESW, NESE, S2SE
07-04-64	T 1 N, R 54 E, PMM sec 28 S2 32 LOTS 1, 2, 3, 4, 5, 6, 7 32 W2NE, N2SW, NWSE
07-04-65	T 2 N, R 54 E, PMM sec 2 LOTS 1, 2, 3, 4 2 S2NE, SENW, E2SW, SE 14 SE
07-04-66	T 2 N, R 54 E, PMM sec 8 SWNW, SW, W2SE, SESE 10 LOTS 1, 3, 4 10 SWSW

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-67	T 2 N, R 54 E, PMM sec 22 LOTS 1, 4, 7 23 NESW
07-04-68	T 2 N, R 54 E, PMM sec 32 N2N2, SENE, E2SE
07-04-75	T 27 N, R 57 E, PMM sec 17 S2NW, NESW

## CONTROLLED SURFACE USE STIPULATION

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

Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- Off-site areas will be protected from accelerated erosion, such as rilling, gullying, piping, and mass wasting.
- Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction will not be allowed when soils are frozen.

On the lands described below:

For the purpose of:

To maintain soil productivity, provide necessary protection to prevent excessive soil erosion on steep slopes, and to avoid areas subject to slope failure, mass wasting, piping, or having excessive reclamation problems.

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-65	T 2 N, R 54 E, PMM sec 12 E2
07-04-70	T 2 N, R 55 E, PMM sec 10 ALL
07-04-71	T 2 N, R 55 E, PMM sec 8 ALL
07-04-73	T 2 N, R 55 E, PMM sec 22 ALL
07-04-74	T 2 N, R 55 E, PMM sec 24 W2,SE 26 SW

## CONTROLLED SURFACE USE STIPULATION

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

Surface occupancy and use is subject to operational constraints to maintain a landscape character intact. Deviations may be present but must repeat the form, line, color, texture, and pattern common to the landscape character so completely and to such scale that they are not evident.

Operational constraints may include utilizing topographic/vegetative screening, matching color tones of facilities with surrounding topographic features, orienting the well pad/facilities, redesigning production facilities to such scale that they may not be evident, or placing facilities outside the high SIO area.

On the lands described below:

For the purpose of:

To maintain the Scenic Integrity Objective (SIO) of areas, identified as high. Refer to the Land and Resource Management Plan Grassland-wide Direction, Scenery Management, number 1, and Appendix D-15 and D-28.

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-77	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 4 LOTS 3,4 4 PORTIONS OF S2NW
07-04-78	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 5 PORTIONS OF LOTS 1,2,3, SENE
07-04-87	T 140 N, R 101 W, 5 <sup>TH</sup> PM sec 32 NENE
07-04-88	T 142 N, R 101 W, 5 <sup>TH</sup> PM sec 6 LOTS 1,2,3,4 6 S2NE 6 PORTIONS OF LOT 5, SENW, N2SE

R1-FS-2820-CSU-4

### CONTROLLED SURFACE USE STIPULATION

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

Try to locate activities and facilities away from the water's edge and outside the riparian areas, woody draws, wetlands, and floodplains. If necessary to locate facilities in these areas, then:

- Deposit no waste material (silt, sand, gravel, soil, slash, debris, chemical or other material) below high water lines, in riparian areas, in the areas immediately adjacent to riparian areas or in natural drainage ways (draws, land surface depressions or other areas where overland flow concentrates and flows directly into streams or lakes).
- Deposit no soil material in natural drainage ways.
- Locate the lower edge of disturbed or deposited soil banks outside the active floodplain.
- Stockpile no topsoil or any other disturbed soil in the active floodplain.
- Locate drilling mud pits outside riparian areas, wetlands and floodplains. If location is unavoidable in these areas, seal and dike all pits to prevent leakage or use containerized mud systems.

On the lands described below:

For the purpose of:

To protect the biological and hydrologic features of riparian areas, woody draws, wetlands, and floodplains. Refer to the Land and Resource Management Plan Grassland-wide Direction, Water, number 6 and Appendix D-2.

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-77	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 4 LOTS 3,4 4 S2NW, NESW, S2SW 8 PORTIONS OF E2 15 PORTIONS OF ALL
07-04-78	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 5 PORTIONS OF LOTS 1,2,3,4, S2N2, SW 17 PORTIONS OF N2NW, SWNW
07-04-79	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 7 PORTIONS OF NE
07-04-80	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 10 PORTIONS OF NWNE, NESE, S2SE
07-04-81	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 18 PORTIONS OF LOTS 3,4, SESW

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-82	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 19 PORTIONS OF NWNE, NENW
07-04-83	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 20 PORTIONS OF E2SW, NESE 30 PORTIONS OF NWSE
07-04-84	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 21 PORTIONS OF NENE
07-04-86	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 22 PORTIONS OF N2NW, SENW
07-04-87	T 140 N, R 101 W, 5 <sup>TH</sup> PM sec 32 PORTIONS OF NENE
07-04-88	T 142 N, R 101 W, 5 <sup>TH</sup> PM sec 6 PORTIONS OF LOTS 1-7, S2NE, SENW, E2SW, NWSE, S2SE
07-04-91	T 148 N, R 101 W, 5 <sup>TH</sup> PM sec 33 PORTIONS OF W2SW
07-04-92	T 140 N, R 102 W, 5 <sup>th</sup> PM sec 32 PORTIONS OF NE
07-04-93	T 140 N, R 102 W, 5 <sup>TH</sup> PM sec 32 PORTIONS OF NW, N2SW, SWSW, SE
07-04-94	T 148 N, R 102 W, 5 <sup>TH</sup> PM sec 30 PORTIONS OF LOT 1, NENW, SESW, NESE, S2SE sec 32 PORTIONS OF N2NE, SWNE, NENW, S2NW, S2
07-04-97	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec 10 PORTIONS OF N2, SW
07-04-98	T 143 N, R 103 W, 5 <sup>th</sup> PM sec 12 PORTIONS OF S2
07-04-100	T 148 N, R 103 W, 5 <sup>TH</sup> PM sec 9 PORTIONS OF SE 10 PORTIONS OF NE, NENW, SWNW, W2SW, NWSE
07-04-101	T 150 N, R 103 W, 5 <sup>TH</sup> PM sec 15 PORTIONS OF NENW

## CONTROLLED SURFACE USE STIPULATION

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

Surface occupancy and use is subject to operational constraints to maintain a landscape character that is no more than slightly altered. Noticeable deviations must remain visually subordinate to the landscape character being viewed.

Operational constraints may include utilizing topographic/vegetative screening, matching color tones of facilities with surrounding topographic features, orienting the well pad/facilities, redesigning production facilities to such scale that they are visually subordinate to the landscape, or placing facilities outside the moderate SIO area.

On the lands described below:

For the purpose of:

To maintain the Scenic Integrity Objective (SIO) for areas identified as moderate. Refer to the Land and Resource Management Plan Grassland-wide Direction, Scenery Management, number 1, and Appendix D-15 and D-28.

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-77	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 4 SW; PORTIONS OF S2NW 8 E2 15 ALL
07-04-78	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 5 LOT 4 4 SWNE, S2NW, SW 4 PORTIONS OF LOTS 1, 2, 3, SENE 17 W2, SE
07-04-79	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 7 NE
07-04-80	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 10 NESE, S2SE 10 PORTIONS OF NWNE
07-04-81	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 18 LOTS 1, 2, 3, 4, E2W2
07-04-82	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 19 LOTS 1, 2, E2, E2NW

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-83	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 20 S2 30 SE
07-04-84	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 21 N2N2
07-04-85	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 21 S2N2
07-04-86	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 22 NW
07-04-88	T 142 N, R 101 W, 5 <sup>TH</sup> PM sec 6 LOTS 6,7,E2SW 6 PORTIONS OF LOT 5, SENW, W2SE
07-04-91	T 148 N, R 101 W, 5 <sup>TH</sup> PM sec 34 PORTIONS OF SESE
07-04-92	T 140 N, R 102 W, 5 <sup>TH</sup> PM sec 32 NE
07-04-93	T 140 N, R 102 W, 5 <sup>TH</sup> PM sec 32 W2,SE
07-04-98	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec 12 SE 12 PORTIONS OF E2SW

## CONTROLLED SURFACE USE STIPULATION

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

Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified by the contrary by the BLM, shall:

1. Contact the BLM to determine if a site-specific vertebrate paleontological inventory is required. If it is required, the operator 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 operation is submitted.
2. Implement mitigation measures required by the BLM to preserve, avoid, or recover vertebrate paleontological resources. Mitigation may include relocation of proposed facilities or other protective measures. All costs associate with the inventory and mitigation will be born by the lessee or operator.
3. The lessee or operator shall immediately bring to the attention of the BLM any vertebrate paleontological resources discovered as a result of surface operations under this lease, and shall leave such discoveries intact until directed to proceed by the BLM.

On the lands described below:

For the purpose of:

To protect key paleontological resources from disturbance or mitigate the effects of disturbance to conserve scientific and interpretive values and the interests of the surface owner.

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-80	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 10 N2NE, NESE, S2SE
07-04-85	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 21 S2N2
07-04-90	T 148 N, R 101 W, 5 <sup>TH</sup> PM sec 33 E2

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## CONTROLLED SURFACE USE STIPULATION

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

- Operations may be modified or moved to minimize additional impacts on bighorn sheep habitat.
- Future roads to non-producing wells on private minerals under NFS lands would be obliterated and the disturbed areas reclaimed.
- Road construction and associated lease activities will be located to minimize loss of bighorn sheep habitat.
- Well locations will be located to avoid lambing areas, steep slopes (escape terrain) and known travel corridors.
- Whenever possible, access roads will be gated to prevent unnecessary human activity.

On the lands described below:

For the purpose of:

To provide quality forage, cover, escape terrain, and solitude for bighorn sheep. Refer to the Land and Resource Management Plan, Management MA 3.51B, Bighorn Sheep Habitat with Non-Federal Ownership, Standards and Guidelines, Minerals and Energy Resources, number 1, and Appendix D-22 and Addendum, p. 51.

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-98	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec 12 N2SE 12 PORTIONS OF NESW, S2SE

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**CONTROLLED SURFACE USE STIPULATION**

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

No disturbance of riparian areas of wetlands, intermittent, ephemeral, or perennial streams and rivers would be allowed except for essential road and utility crossings.

On the lands described below:

For the purpose of:

Protection of riparian habitat (NDRMP - P. 20).

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-99	T 144 N, R 103 W, 5 <sup>TH</sup> PM sec 22 NW 26 E2NE, NESE

## CONTROLLED SURFACE USE STIPULATION

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

Operations in prairie dog colonies known or thought to be occupied by black-footed ferrets are subject to the following constraints:

Limit oil and gas development to no more than one location per 160 acres aliquot parts of a section.

Access for routine maintenance of oil and gas facilities in prairie dog colonies is limited to daylight hours. This does not apply to emergency repairs.

If it's necessary to place a new road in a prairie dog colony, align the road to minimize habitat loss.

On the lands described below:

For the purpose of:

To protect against activities that will adversely impact black-footed ferret reintroduction objectives. Refer to the Land and Resource Management Plan Grassland-wide Direction, Fish, Wildlife and Rare Plants, numbers 25, 26 and 27, and Management Area Direction, MA 3.63, Black-footed Ferret Reintroduction Habitat, Standards and Guidelines, Minerals and Energy Resources, numbers 4, and Appendix D-23.

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-101	T 150 N, R 103 W, 5 <sup>th</sup> PM sec 15 ALL

**LEASE NOTICE**

The Surface Management Agency is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures. Guidance for application of this requirement can be found in NTL-MSO-85-1.

This notice would be consistent with the present Montana guidance for cultural resource protection related to oil and gas operations (NTL-MSO-85-1).

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-34	T 10 N, R 22 E, PMM sec 3 SWNE, SENW, N2SW, SWSW 4 LOTS 3,4 4 N2SE 5 LOTS 1,2,3,4 5 SWNE, S2NW 6 LOT 1 7 NESW, N2SE 12 SW, W2SE 17 N2N2, SWNW, NWSW
07-04-38	T 11 N, R 27 E, PMM sec 6 LOTS 1-7 INCL. 6 S2NE, SENW, E2SW, SE 10 NENW 22 SWSE
07-04-39	T 11 N, R 27 E, PMM sec 18 NENE

**LEASE NOTICE**

There are cultural sites in the following locations and a significant probability exists for discovering additional sites:

In accordance with 43 CFR 3101.1-2, additional mitigation may be required in regard to exploration and development.

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-35	T 10 N, R 27 E, PMM sec 4 LOTS 1,2,3,4 4 S2NW,SW,S2SE 14 SWSW 24 SESW
07-04-36	T 10 N, R 27 E, PMM sec 34 NE 35 LOTS 1,2,3,4 35 N2,N2S2
07-04-37	T 10 N, R 27 E, PMM sec 29 S2

## LEASE NOTICE

Land Use Authorizations incorporate specific surface land uses allowed on BLM administered lands by authorized officers and those surface uses acquired by BLM on lands administered by other entities. These BLM authorizations include rights-of-way, leases, permits, conservation easements, and Recreation and Public Purpose leases and patents.

The rights acquired, reserved, or withdrawn by BLM for specified purposes include non-oil and gas leases, conservation easements, archeological easements, road easements, fence easements, and administrative site withdrawals. The existence of such land use authorizations shall not preclude the leasing of the oil and gas. The locations of land use authorizations are noted on the oil and gas plats and in LR2000. The plats are a visual source noting location; LR2000 provides location by legal description through the Geographic Cross Reference program.

The specifically authorized acreage for land use should be avoided by oil and gas exploration and development activities. All authorized surface land uses are valid claims to prior existing rights unless the authorization states otherwise.

The right of the Secretary to issue future land use authorizations on an oil and gas lease is reserved by provision of Section 29 of the Mineral Leasing Act, 30 U.S.C.

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-36	T 10 N, R 27 E, PMM sec 26 ALL 34 NE 35 LOTS 1,2,3,4 35 N2,N2S2

## LEASE NOTICE

### Roadless Area Conservation Rule

Lands contained in this lease are located in an inventoried roadless area subject to the rule entitled "Special Areas; Roadless Area Conservation Rule; Final Rule" published in the Federal Register on January 12, 2001. Operations such as road construction or reconstruction may be prohibited by the Roadless Area Conservation Rule or subsequent modifications thereof.

On the lands described below:

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-77	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 4 LOTS 3,4 4 PORTIONS OF S2NW
07-04-78	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 5 PORTIONS OF LOTS 1,2,3, SENE

**LEASE NOTICE**

Roadless Area Conservation Rule

Lands contained in this lease are located in an inventoried roadless area subject to the rule entitled "Special Areas; Roadless Area Conservation Rule; Final Rule" published in the Federal Register on January 12, 2001. Operations such as road construction or reconstruction may be prohibited by the Roadless Area Conservation Rule or subsequent modifications thereof. Specific exemptions are made at 36 CFR 294.12 for lands that were leased as of January 12, 2001. Land in this lease was previously leased in NDM 82631 expired 8-31-2002.

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-97	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec 10 N2,N2SW,SESW 10 PORTIONS OF SWSW

**LEASE NOTICE**

Roadless Area Conservation Rule

Lands contained in this lease are located in an inventoried roadless area subject to the rule entitled "Special Areas; Roadless Area Conservation Rule; Final Rule" published in the Federal Register on January 12, 2001. Operations such as road construction or reconstruction may be prohibited by the Roadless Area Conservation Rule or subsequent modifications thereof. Specific exemptions are made at 36 CFR 294.12 for lands that were leased as of January 12, 2001. Land in this lease was previously leased in NDM 81922 expired 4-30-2003.

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-98	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec 12 PORTIONS OF SWSW

**NO SURFACE OCCUPANCY STIPULATION**

Surface occupancy and use is prohibited within riparian areas, 100-year flood plains of major rivers, and on water bodies and streams.

On the lands described below:

For the purpose of:

To protect the unique biological and hydrological features associated with riparian areas, 100-year flood plains of major rivers, and water bodies and streams.

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-34	T 10 N, R 22 E, PMM sec 17 N2N2
07-04-35	T 10 N, R 27 E, PMM sec 2 NESE
07-04-36	T 10 N, R 27 E, PMM sec 35 N2
07-04-38	T 11 N, R 27 E, PMM sec 6 SE
07-04-60	T 1 N, R 54 E, PMM sec 4 LOT 2 4 BED POWDER RVR RIPAR TO LOT 2 10 BED POWDER RVR RIPAR TO LOTS 1,2
07-04-62	T 1 N, R 54 E, PMM sec 16 BED POWDER RVR RIPAR TO LOTS 1-10 INCL. 20 LOT 1 30 LOTS 2,11 30 BED POWDER RVR RIPAR TO LOT 2
07-04-66	T 2 N, R 54 E. PMM sec 10 SWSW 10 BED POWDER RVR RIPAR TO LOTS 1,2,3,4 16 BED POWDER RVR RIPAR TO LOTS 1-11 INCL.
07-04-67	T 2 N, R 54 E, PMM sec 22 LOTS 1,2,3,4,7 22 BED POWDER RVR RIPAR TO LOTS 1,2,3,4,7 23 NESW
07-04-70	T 2 N, R 55 E, PMM sec 10 ALL
07-04-73	T 2 N, R 55 E. PMM sec 22 ALL 28 ALL 34 ALL

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-105	T 15 N, R 3 E, BHM sec 29 N2SE 30 NENE
07-04-107	T 18 N, R 6 E, BHM sec 4 S2SE
07-04-109	T 19 N, R 6 E, BHM sec 19 LOTS 2,3,4 19 E2SW 20 E2NE 21 NESW 22 N2NW

**NO SURFACE OCCUPANCY STIPULATION**

Surface occupancy and use is prohibited within 1/4 mile of grouse leks.

On the lands described below:

For the purpose of:

To protect the sharptail and sage grouse lek sites necessary for the long-term maintenance of grouse populations in the 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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-35	T 10 N, R 27 E, PMM sec 2 SESE

**NO SURFACE OCCUPANCY STIPULATION**

Surface occupancy and use is prohibited within sites or areas designated for conservation use, public use, or sociocultural use.

On the lands described below:

For the purpose of:

To protect those cultural properties identified for conservation use, public use, and sociocultural use. (see definitions for use categories within BLM Manual 3111).

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 this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-36	T 10 N, R 27 E, PMM sec 35 LOT 3 35 NESW

## NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

For the purpose of:

Surface occupancy and use is prohibited on slopes greater than 40 percent to protect soil resources from loss of productivity, prevent erosion on steep slopes, soil mass movement, and resultant sedimentation. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Soils, number 6, and Appendix D-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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-77	T 145 N, R 99 W, 5 <sup>th</sup> PM sec 4: Portions of NWSW 8: Portions of SWNE, NWSE, S2SE 15: Portions of N2N2, SWNE, SENW, S2SW, NESE, S2SE
07-04-78	T 145 N, R 99 W, 5 <sup>th</sup> PM sec 5 PORTIONS OF LOT 4, S2NE, SWNW 17 PORTIONS OF W2NW, SWSW, SWSE
07-04-79	T 145 N, R 99 W, 5 <sup>th</sup> PM sec 7 PORTIONS OF NWNE, S2NE
07-04-81	T 145 N, R 99 W, 5 <sup>th</sup> PM sec 18 PORTIONS OF LOTS 2, 3, SENW, E2SW
07-04-82	T 145 N, R 99 W, 5 <sup>th</sup> PM sec 19 PORTIONS OF LOTS 1, 2, NESE, SWSE
07-04-83	T 145 N, R 99 W, 5 <sup>th</sup> PM sec 20 PORTIONS OF N2SW, SESW, SWSE 30 PORTIONS OF N2SE, SESE
07-04-84	T 145 N, R 99 W, 5 <sup>th</sup> PM sec 21 PORTIONS OF N2NE, NENW
07-04-86	T 145 N, R 99 W, 5 <sup>th</sup> PM sec 22 PORTIONS OF N2NW, SENW
07-04-88	T 142 N, R 101 W, 5 <sup>th</sup> PM sec 6 PORTIONS OF LOTS 1-7, S2NE, SENW, E2SW, NESE, S2SE
07-04-89	T 148 N, R 101 W, 5 <sup>th</sup> PM sec 21 PORTIONS OF NWNE, NENW

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-90	T 148 N, R 101 W, 5 <sup>TH</sup> PM sec 33 PORTIONS OF SENE, SESE
07-04-91	T 148 N, R 101 W, 5 <sup>TH</sup> PM sec 33 PORTIONS OF W2NW
07-04-92	T 140 N, R 102 W, 5 <sup>TH</sup> PM sec 32 PORTIONS OF NE
07-04-93	T 140 N, R 102 W, 5 <sup>TH</sup> PM sec 32 PORTIONS OF S2NW, S2
07-04-94	T 148 N, R 102 W, 5 <sup>TH</sup> PM sec 32 PORTIONS OF SESW
07-04-97	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec 10 PORTIONS OF N2NE, W2
07-04-98	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec 12 PORTIONS OF NESW, N2SE, SESE

## NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

For the purpose of:

No surface occupancy or use is allowed within 0.5 mile (line of sight) of golden eagle, merlin, and ferruginous hawk nests; to prevent reduced reproductive success and adverse habitat loss. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 55, and Appendix D-11.

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-77	T 145 N, R 99 W, 5 <sup>th</sup> PM sec 15 Portions of NESE, S2SE
07-04-78	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 17 PORTIONS OF E2SE
07-04-88	T 142 N, R 101 W, 5 <sup>TH</sup> PM sec 6 NESE 6 PORTIONS OF LOT 1, SENE, SESE
07-04-91	T 148 N, R 101 W, 5 <sup>TH</sup> PM sec 34 SESW, SWSE 34 PORTIONS OF NESW, SWSW, NWSE, SESE
07-04-93	T 140 N, R 102 W, 5 <sup>TH</sup> PM sec 32 PORTIONS OF S2SW
07-04-97	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec 10 N2NW 10 PORTIONS OF W2NE, S2NW

**NO SURFACE OCCUPANCY STIPULATION**

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

For the purpose of:

No surface occupancy or use is allowed within boundaries of backcountry non-motorized management areas to retain recreation opportunities in a natural-appearing landscape. Refer to the Land and Resource Management Plan, Management Area Direction MA 1.31 Backcountry Recreation Non-motorized, Standards and Guidelines, Minerals and Energy Resources, number 2, and Appendix D17.

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-77	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 4 LOTS 3,4 4 PORTIONS OF S2NW
07-04-78	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 5 PORTIONS OF LOTS 1,2,3,SENE

**NO SURFACE OCCUPANCY STIPULATION**

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description)

For the purpose of:

No surface occupancy or use is allowed within the established boundaries of Bear Den-Bur Oak, Cottonwood Creek Badlands, Little Missouri River, Mike's Creek, Ponderosa Pines, Limber Pine, and Two Top/Big Top Research Natural Areas; to maintain natural conditions for research purposes and protect against activities, which directly or indirectly modify the natural occurring ecological processes within the RNA. Refer to the Land and Resource Management Plan, Management Area Direction MA 2.2, Research Natural Areas, Standards and Guideline, Minerals and Energy Resources, number 2, and Appendix D-21.

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-88	T 142 N, R 101 W, 5 <sup>TH</sup> PM sec 6 LOTS 1-4, S2NE 6 PORTIONS OF LOT 5, SENW

## NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

For the purpose of:

No surface occupancy or use is allowed within bighorn sheep habitat MA 3.51, to achieve optimum habitat suitability for bighorn sheep. Refer to the Land and Resource Management Plan, Management Area MA 3.51 Bighorn Sheep Habitat, Standards and Guidelines, Minerals and Energy Resources, number 1, and Appendix D-23.

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-92	T 140 N, R 102 W, 5 <sup>TH</sup> PM sec 32 NENE, S2NE 32 PORTIONS OF NWNE
07-04-93	T 140 N, R 102 W, 5 <sup>TH</sup> PM sec 32 E2SW, SE 32 PORTIONS OF SENW, W2SW

## NO SURFACE OCCUPANCY STIPULATION

Surface occupancy and use is prohibited within ½ mile of known ferruginous hawk nest sites which have been active within the past 2 years.

On the lands described below:

For the purpose of:

To maintain the production potential of ferruginous hawk nest sites, which are very sensitive to disturbance and have been identified as Category 2 species under the Endangered Species Act (ESA).

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-109	T 19 N, R 6 E, BHM sec 21 NESW
07-04-110	T 19 N, R 6 E, BHM sec 28 SENW 32 S2NE

**NOTICE FOR LANDS OF THE NATIONAL FOREST SYSTEM  
UNDER JURISDICTION OF  
DEPARTMENT OF AGRICULTURE**

The permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of Interior in the permit. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of an exploration plan by the Secretary of the Interior, (2) uses of all existing improvements, such as forest development roads, within and outside the area permitted by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by an exploration plan approved by the Secretary of the Interior.

All matters related to this stipulation are to be addressed to:

District Ranger, McKenzie Ranger District  
Dakota Prairie Grasslands  
1901 South Main Street  
Watford City, ND 58854

who is the authorized representative of the Secretary of Agriculture.

**CULTURAL RESOURCES** - The FS is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures, in accordance with the Archaeological Resources Protection Act of 1979, the National Historic Preservation Act of 1966 (as amended), and the American Indian Religious Freedom Act of 1996. 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 FS, shall:

1. Contact the FS to determine if a site specific cultural resource inventory is required. If a survey is required, then:
2. Engage the services of a cultural resource specialist acceptable to the FS 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 FS for review and approval at the time a surface disturbing plan of operation is submitted.
3. Implement mitigation measures required by the FS and BLM to preserve or avoid destruction of cultural resource values. Mitigation may include relocation of proposed facilities, testing, salvage, and recordation or other protective measures. All costs of the inventory and mitigation will be borne by the lessee or operator, and all data and materials salvaged will remain under the jurisdiction of the U.S. Government as appropriate.

The lessee or operator shall immediately bring to the attention of the FS and BLM any cultural or resources or any other objects of scientific interest discovered as a result of surface operations under this lease, and shall leave such discoveries intact until directed to proceed by FS and BLM.

**Vertebrate Paleontology Notice** - The FS is responsible for assuring that the leased lands are examined to determine if paleontological resources are present and to specify mitigation measures, in accordance with Organic Act, and the National Forest Management Act of 1976

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 Forest Service, shall:

1. Contact the Forest Service to determine if a site-specific vertebrate paleontologic inventory is required. The Forest Service will conduct inventories and surveys as part of the field review for the proposed activity on the lease. The operator may voluntarily engage the services of a qualified paleontologist to conduct the inventory.
2. Implement mitigation measures required by the Forest Service and Bureau of land management to preserve or avoid destruction of vertebrate paleontologic resources. Mitigation may include relocation of proposed facilities or other protective measures.
3. The lessee or operator shall immediately bring to the attention of the Forest Service any vertebrate paleontologic resources discovered as a result of surface operation under this lease, and shall leave such discoveries intact until directed to proceed by the Forest Service.

**FLOODPLAIN AND WETLANDS** - The lessee is hereby notified that this lease may contain land within a riparian ecosystem. All activities within this area may be highly restricted in order to comply with Executive Order 11988 - *Floodplain Management* and Executive Order 11990 - *Protection of Wetlands*, in order to preserve and restore or enhance the natural and beneficial values served by floodplains and wetlands.

Riparian ecosystems will be managed by the Forest Service to protect from conflicting uses in order to provide healthy, self-perpetuating plant and water communities that will have optimum diversity and density of understory and overstory vegetation. Occupancy and use of lands within riparian ecosystems proposed in a proposed Surface Use Plan of Operations will be considered in an environmental analysis done to identify the mitigation measures necessary to protect the riparian area. Special measures such as road design, well pad size and location or directional drilling, may be made part of the permit authorizing the activity.

Parcel Number

07-04-77, 07-04-78, 07-04-79, 07-04-81, 07-04-82, 07-04-83, 07-04-84,  
07-04-86, 07-04-89, 07-04-94, 07-04-95, 07-04-96, 07-04-100, 07-04-101

R1-FS-2820-13d

**NOTICE FOR LANDS OF THE NATIONAL FOREST SYSTEM  
UNDER JURISDICTION OF  
DEPARTMENT OF AGRICULTURE**

The permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of Interior in the permit. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of an exploration plan by the Secretary of the Interior, (2) uses of all existing improvements, such as forest development roads, within and outside the area permitted by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by an exploration plan approved by the Secretary of the Interior.

All matters related to this stipulation are to be addressed to:

District Ranger, Medora  
Dakota Prairie Grasslands  
161 21st Street West  
Dickinson, ND 58601-3135

who is the authorized representative of the Secretary of Agriculture.

**CULTURAL RESOURCES** - The FS is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures, in accordance with the Archaeological Resources Protection Act of 1979, the National Historic Preservation Act of 1966 (as amended), and the American Indian Religious Freedom Act of 1996. 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 FS, shall:

1. Contact the FS to determine if a site specific cultural resource inventory is required. If a survey is required, then:
2. Engage the services of a cultural resource specialist acceptable to the FS 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 FS for review and approval at the time a surface disturbing plan of operation is submitted.
3. Implement mitigation measures required by the FS and BLM to preserve or avoid destruction of cultural resource values. Mitigation may include relocation of proposed facilities, testing, salvage, and recordation or other protective measures. All costs of the inventory and mitigation will be borne by the lessee or operator, and all data and materials salvaged will remain under the jurisdiction of the U.S. Government as appropriate.

The lessee or operator shall immediately bring to the attention of the FS and BLM any cultural or resources or any other objects of scientific interest discovered as a result of surface operations under this lease, and shall leave such discoveries intact until directed to proceed by FS and BLM.

**Vertebrate Paleontology Notice** - The FS is responsible for assuring that the leased lands are examined to determine if paleontological resources are present and to specify mitigation measures, in accordance with Organic Act, and the National Forest Management Act of 1976

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 Forest Service, shall:

4. Contact the Forest Service to determine if a site-specific vertebrate paleontologic inventory is required. The Forest Service will conduct inventories and surveys as part of the field review for the proposed activity on the lease. The operator may voluntarily engage the services of a qualified paleontologist to conduct the inventory.
5. Implement mitigation measures required by the Forest Service and Bureau of land management to preserve or avoid destruction of vertebrate paleontologic resources. Mitigation may include relocation of proposed facilities or other protective measures.
6. The lessee or operator shall immediately bring to the attention of the Forest Service any vertebrate paleontologic resources discovered as a result of surface operation under this lease, and shall leave such discoveries intact until directed to proceed by the Forest Service.

**FLOODPLAIN AND WETLANDS** - The lessee is hereby notified that this lease may contain land within a riparian ecosystem. All activities within this area may be highly restricted in order to comply with Executive Order 11988 - *Floodplain Management* and Executive Order 11990 - *Protection of Wetlands*, in order to preserve and restore or enhance the natural and beneficial values served by floodplains and wetlands.

Riparian ecosystems will be managed by the Forest Service to protect from conflicting uses in order to provide healthy, self-perpetuating plant and water communities that will have optimum diversity and density of understory and overstory vegetation. Occupancy and use of lands within riparian ecosystems proposed in a proposed Surface Use Plan of Operations will be considered in an environmental analysis done to identify the mitigation measures necessary to protect the riparian area. Special measures such as road design, well pad size and location or directional drilling, may be made part of the permit authorizing the activity.

Parcel Number

07-04-87, 07-04-88, 07-04-92, 07-04-93, 07-04-98

R1-FS-2820-13d

**NOTICE FOR SPLIT ESTATE LANDS UNDER THE JURISDICTION  
OF THE BUREAU OF LAND MANAGEMENT**

**SPLIT ESTATE LANDS:** The lands included in this lease are split estate. Title to the mineral estate is held by the United States and the surface is non-federal ownership. Due to this status the mineral estate is administered by the BLM even though these lands are within a U.S. Forest Service withdrawal

For split estate lands, BLM places necessary lease stipulations and conditions of approval on permitted activities and works in cooperation with the surface owner.

**SURFACE MANAGEMENT OF NON-FEDERAL SURFACE LANDS:**

The BLM has the statutory authority to require lease stipulations and conditions of approval for activities of its lessees to minimize adverse impacts that may result from Federally-authorized mineral lease activities. These stipulations and conditions of approval are intended to comply with the BLM's responsibilities under the Endangered Species Act, the National Historic Preservation Act, and the National Environmental Policy Act and to protect or preserve the privately-owned resources while preventing adverse impacts to adjoining lands, not to dictate management to the surface owner.

**APPLICATIONS FOR PERMIT TO DRILL (APDs):** The following BLM office is responsible for the receipt, processing, and approval of APDs. This office is located at:

North Dakota Field Office  
2933 Third Avenue West  
Dickinson, North Dakota 58601-2619

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 of federal oil and gas leases 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 office listed above. Early coordination with this office on proposals is encouraged.

Parcel Number

07-04-80, 07-04-85, 07-04-90, 07-04-91, 07-04-97

**UNITED STATES DEPARTMENT OF THE INTERIOR  
OIL AND GAS LEASE STIPULATIONS**

**ESTHETICS**--To maintain esthetic values, all surface-disturbing activities, semipermanent 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 onground 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 erodable or slumping soils.

Standard (May 2001)

**See Notice on Back**

Parcel Number

07-04-01, 07-04-02, 07-04-03, 07-04-04, 07-04-05, 07-04-06, 07-04-07, 07-04-08, 07-04-09,  
07-04-10, 07-04-11, 07-04-12, 07-04-13, 07-04-14, 07-04-15, 07-04-16, 07-04-17, 07-04-18,  
07-04-19, 07-04-20, 07-04-21, 07-04-22, 07-04-23, 07-04-24, 07-04-25, 07-04-26, 07-04-27,  
07-04-28, 07-04-29, 07-04-30, 07-04-31, 07-04-32, 07-04-33, 07-04-40, 07-04-41, 07-04-42,  
07-04-43, 07-04-44, 07-04-45, 07-04-46, 07-04-47, 07-04-48, 07-04-49, 07-04-50, 07-04-51,  
07-04-52, 07-04-53, 07-04-54, 07-04-55, 07-04-76, 07-04-99

#### 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.

## **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 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 completes 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.

### Parcel Numbers

07-04-01, 07-04-02, 07-04-03, 07-04-04, 07-04-05, 07-04-06, 07-04-07, 07-04-08, 07-04-09, 07-04-10, 07-04-11, 07-04-12, 07-04-13, 07-04-14, 07-04-15, 07-04-16, 07-04-17, 07-04-18, 07-04-19, 07-04-20, 07-04-21, 07-04-22, 07-04-23, 07-04-24, 07-04-25, 07-04-26, 07-04-27, 07-04-28, 07-04-29, 07-04-30, 07-04-31, 07-04-32, 07-04-33, 07-04-34, 07-04-35, 07-04-36, 07-04-37, 07-04-38, 07-04-39, 07-04-40, 07-04-41, 07-04-42, 07-04-43, 07-04-44, 07-04-45, 07-04-46, 07-04-47, 07-04-48, 07-04-49, 07-04-50, 07-04-51, 07-04-52, 07-04-53, 07-04-54, 07-04-55, 07-04-56, 07-04-57, 07-04-59, 07-04-60, 07-04-61, 07-04-62, 07-04-63, 07-04-64, 07-04-65, 07-04-66, 07-04-67, 07-04-68, 07-04-69, 07-04-70, 07-04-71, 07-04-72, 07-04-73, 07-04-75, 07-04-76, 07-04-80, 07-04-85, 07-04-90, 07-04-91, 07-04-97, 07-04-99

**USDA - FOREST SERVICE  
THREATENED, ENDANGERED, AND SENSITIVE  
PLANT OR ANIMAL SPECIES LEASE NOTICE**

The lease area may contain threatened and endangered species or habitat necessary for the continued existence of threatened, proposed, candidate or endangered species which are protected by the 1973 Endangered Species Act, as amended (16 USC 1531 et seq.) and implementing regulations (50 CFR 402 et seq.). The lease area may also contain habitat or species, which may require protective measures to prevent them from being listed as threatened or endangered; or result in a loss of viability or biological diversity (36 CFR 219.19 or 219.26). A biological evaluation of the leased lands may be required prior to surface disturbance to determine if endangered, threatened, proposed, candidate or sensitive plant or animal species or their habitat 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 Forest Service to determine if a biological evaluation is required. The Forest Service is responsible for ensuring that the leased land is examined through a biological evaluation, prior to undertaking any surface-disturbing activities, to determine effects upon any plant or animal species listed or proposed for listing as threatened, endangered, or a sensitive species.
2. The lessee or operator may choose to conduct the evaluation on the leased lands at their discretion and cost. This biological evaluation must be done by or under the supervision of a qualified biologist/botanist approved by the Forest Service. An acceptable report must be provided to the Forest Service identifying the anticipated effects of a proposed action on endangered, threatened, proposed, candidate or sensitive species. An acceptable biological evaluation is to be submitted to the Forest Service for review and approval no later than that time when an otherwise complete application for permit to drill or subsequent surface-disturbing operation is submitted.
3. Implement mitigation measures required by the Forest Service. Mitigation may include the relocation of proposed lease-related activities or other protective measures. The findings of the biological evaluation, analysis and consultation may result in restrictions to the operator's plans or even disallow use and occupancy to comply with the 1973 Endangered Species Act (as amended), threatened and endangered species regulations and Forest Service statutes and regulations.

If endangered, threatened, proposed, candidate or sensitive plant or animal species are discovered in the area; after any required biological evaluation has concluded, an evaluation will be conducted to assess the effect of ongoing and proposed activities. Based on the conclusion drawn in the evaluation, additional restrictions or prohibitions may be imposed to protect the species or their habitats.

Parcel Number

07-04-77, 07-04-78, 07-04-79, 07-04-81, 07-04-82, 07-04-83, 07-04-84, 07-04-86,  
07-04-87, 07-04-88, 07-04-89, 07-04-92, 07-04-93, 07-04-94, 07-04-95, 07-04-96,  
07-04-98, 07-04-100, 07-04-101

## TIMING LIMITATION STIPULATION

Surface use is prohibited from March 1 to June 15 in grouse nesting habitat within 2 miles of a lek. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

For the purpose of (reasons):

To protect sharptail and sage grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for the long-term maintenance of grouse populations in the 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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-35	T 10 N, R 27 E, PMM sec 2 SESE 4 LOT 1 4 S2NW, SW, S2SE 12 LOT 4 12 NWNE, NENW, W2W2, SWSE
07-04-57	T 1 N, R 53 E, PMM sec 32 LOTS 1, 2, 3, 4 32 N2, N2S2

## TIMING LIMITATION STIPULATION

Surface use is prohibited from December 1 to March 31 within crucial winter range for wildlife. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

For the purpose of (reasons):

To protect crucial white-tailed deer, mule deer, elk, antelope, moose, bighorn sheep, and sage grouse winter range from disturbance during the winter use season, and to facilitate long-term maintenance of wildlife 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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-37	T 10 N, R 27 E, PMM sec 28 NENW, W2NW 29 N2S2

## TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation applies to drilling, testing, new construction projects, and does not apply to operation and maintenance of production facilities.

March 1 - June 15

Within 1 mile (line of sight) of active sharp-tailed grouse display grounds on the lands described below:

For the purpose of:

To prevent abandonment of display grounds, reduced reproductive success. Refer to the Land and Resource Management Plan Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 15, Appendix D-5.

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-77	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 15 SENE, SE 15 PORTIONS OF N2NE, SWNE, E2SW
07-04-78	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 5 PORTIONS OF LOTS 3, 4
07-04-86	T 145 N, R 99 W, 5 <sup>TH</sup> PM sec 22 PORTIONS OF NENW
07-04-89	T 148 N, R 101 W, 5 <sup>TH</sup> PM sec 21 NWNE, N2NW 21 PORTIONS OF NENE
07-04-91	T 148 N, R 101 W, 5 <sup>TH</sup> PM sec 33 PORTIONS OF SWSW
07-04-93	T 140 N, R 102 W, 5 <sup>TH</sup> PM sec 32 PORTIONS OF W2NW, NWSW
07-04-94	T 148 N, R 102 W, 5 <sup>TH</sup> PM sec 30 PORTIONS OF E2NE, NESE 32 E2 32 PORTIONS OF E2W2

R1-FS-2820-TIMING-3

## TIMING

No surface use is allowed during the following time period(s).

October 16 - June 14

This stipulation applies to drilling, testing, new construction projects, and does not apply to operation and maintenance of production facilities. Limit on-lease activities (operation and maintenance of facilities) to the period from 10 am to 4pm except in emergency situations.

For the purpose of:

To provide quality forage, cover, escape terrain and solitude for bighorn sheep. Refer to the Land and Resource Management Plan MA 3.51B, Bighorn Sheep Habitat with nonfederal ownership, Standards and Guidelines, Minerals and Energy Resources, number 1, Appendix D-22 and Addendum, p. 51.

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

<u>Parcel Number</u>	<u>Legal Description</u>
07-04-98	T 143 N, R 103 W, 5 <sup>TH</sup> PM sec 12 N2SE 12 PORTIONS OF NESW, S2SE

## TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation applies to drilling and testing and new construction projects, and does not apply to operation or maintenance of production facilities.

March 1 - August 31

Within 0.125 mile (line of sight) of prairie dog colonies occupied or thought to be occupied by black-footed ferrets on the lands described below:

For the purpose of:

To protect ferrets when breeding and rearing young. Refer to the Land and Resource Management Plan Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 23 and Appendix D-7.

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 this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

Parcel Number	Legal Description
07-04-101	T 150 N, R 103 W, 5 <sup>th</sup> PM sec 15 ALL