



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Montana State Office  
5001 Southgate Drive  
Billings, Montana 59101-4669  
[www.blm.gov/mt](http://www.blm.gov/mt)

In Reply Refer To:

## Notice of Competitive Oil and Gas Lease Sale

**July 12, 2016**

The Montana State Office is holding a competitive oral sale of Federal lands in the States of North Dakota and South Dakota for oil and gas leasing. This notice contains a map of the general area of the parcel locations, a list of the parcel numbers, legal land descriptions, and corresponding stipulations. The list is also available on the Internet at <http://on.doi.gov/1DYL908>

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

- When:** The competitive sale begins at 9:00 a.m. on Tuesday, July 12, 2016. The sale room opens at 8:00 a.m. for registration and assignment of bidder numbers.
- Where:** We will hold the sale at the Northern Hotel located at 19 North Broadway, Billings, Montana. Interested parties are encouraged to utilize the hotel's parking garage as parking tickets will be validated, and street parking is limited.
- 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 sale. You may contact a Land Law Examiner at 406-896-5090.

### **May I participate in a competitive oil and gas lease sale if my acreage holdings exceed the acreage limitations provided under 43 CFR 3101.2?**

No. Qualified individuals, associations, or corporations may only participate in a competitive lease sale and purchase Federal oil and gas leases from this office if such purchase will not result in exceeding the state limit of 246,080 acres of public domain lands and 246,080 acres of acquired lands (30 U.S.C. 184(d)). For the purpose of chargeable acreage limitations, you are charged with your proportionate share of the lease acreage holdings of partnerships or corporations in which you own an interest greater than 10 percent. The Energy Policy Act of 2005, effective August 8, 2005, provides that acreage holdings in the following leases are not chargeable: leases committed to a federally-approved unit agreement, cooperative plan, or communitization agreement, or for which royalty (including compensatory royalty or royalty-in-kind) was paid in the preceding calendar year. The acreage limitations and certification requirements apply for competitive oil and gas lease sales, noncompetitive lease offers, transfer of interest by assignment of record title or operating rights, and options to acquire interest in leases regardless of whether an individual, association, or corporation has received, under 43 CFR 3101.2-4, additional time to divest excess acreage acquired through merger or acquisition.

### **How do I participate in the bidding process?**

To participate in the bidding process, you must register to obtain a bidder number. If you are bidding for more than one party, you must register and obtain a separate bidder number for each company or individual you represent. We begin registering bidders at 8 a.m. on the day of the sale. You will be required to show a valid government-issued photo identification (ID) to verify your identity. If you do not provide a valid photo ID, you will not be allowed to register as a bidder and participate in the auction.

When you register to bid, we will ask you to sign a statement confirming:

- your bid is a good faith intention to acquire an oil and gas lease,
- you understand that any winning bid will constitute a legally binding commitment to accept the lease and pay monies owed,
- you acknowledge and understand it is a crime under 18 U.S.C. 1001 and 43 U.S.C. 1212 to knowingly and willfully make any false, fictitious or fraudulent statements or representations regarding your qualifications; bidder registration and intent to bid; acceptance of a lease; or payment of monies owed; and that any such offense may result in a fine or imprisonment for not more than 5 years or both, and,
- you acknowledge that you understand that it is a crime under 30 U.S.C. 195 (a) and (b) to organize or participate in any scheme to defeat provisions of the mineral leasing regulations. Any person who knowingly violates this provision will be punished by a fine of not more than \$500,000, imprisonment for not more than 5 years, or both.

If you, or the party you represent, owe the United States any monies that were due the day of a previous oil and gas lease auction conducted by any BLM office (the minimum monies owed the day of sale), you will not be allowed to register to bid at this lease sale. The Mineral Leasing Act requires that leases be issued to a “responsible qualified bidder” (30 U.S.C. 226(b)(1)(A)). Any bidder, or party represented by a bidding agent, that does not pay the minimum monies owed the day of the sale is not a “responsible qualified bidder” and will be barred from participating in any oil and gas lease auction nationwide until that debt to the United States is settled. In addition, if you or the party you represent defaults at any three sales conducted by any BLM office, you or the party you represent will be barred permanently from participating in any other BLM oil and gas lease sale auction.

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

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

- the auctioneer will offer the parcels in the order 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.

### **How do I calculate my bonus bid for parcels where the U. S. only owns a fractional mineral interest?**

If the United States owns less than 100 percent of the oil and gas rights in a parcel, the parcel will reflect the percentage of interest the United States owns. You must calculate your bonus bid and advance rental payment on the **gross (total) 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 the Public Records and Information Center and announce the withdrawn parcels at the time of 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 rate of 12.5 percent on the production removed or sold from the lease. There are other lease terms on the standard lease form (Form 3100-011, June 1988 or later edition).
- **Stipulations:** Some parcels are subject to surface use restrictions or other 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.

A library of the stipulations can be found online at: <http://blm.gov/fbkd>

- **Bid form:** On the day of the sale, successful bidders must submit a properly completed and signed competitive bid form (Form 3000-2, October 1989 or later edition) along with payment. **If you are using a machine duplicated copy of the electronic version, you must include both sides of the form.** 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, it certifies that 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. Once you sign the form, you can't change it. We will not accept any bid form that has information crossed out or is otherwise altered. Successful bidders cannot withdraw their bids.

Fillable bid forms are available online at: <http://blm.gov/jwkd>

- **Payment is due on the day of the sale:** For each parcel you win, you must pay the minimum bonus bid of \$2 per acre or fraction of an acre, the first year's advance rental of \$1.50 per acre or fraction of an acre, and a non-refundable administrative fee of \$160. **You must pay these monies at the sale site by 4 p.m., July 12, 2016.**

The minimum monies owed on the day of the sale for a winning bid are monies owed to the United States (43 CFR 3120.5-2(b) and 43 CFR 3120.5-3(a)). If payment of the minimum monies owed the day of the sale is not received by the date and time above, the BLM will issue a bill for the monies owed. If payment is not received by the bill due date, a demand letter will be sent to you that will include additional fees. If payment is not received as requested by the demand letter, the U.S. will immediately pursue collection by all appropriate methods, and when appropriate, collect late fees, interest, administrative charges, and on past-due amounts assess civil penalties. "All appropriate methods" include, but are not limited to, referral to collection agencies and credit reporting bureaus; salary or administrative offset; offset of Federal and state payments, including goods or services; Federal and state tax refund offset; and retirement payment offset. Debts may be sent to the Internal Revenue Service and charged as income to you on Form 1099C, Cancellation of Debt (Federal Claims Collection Act of 1966, as amended; The Debt Collection Improvement Act of 1996; 31 CFR part 285).

- **Remaining balance due in our office by 4:00 p.m., July 26, 2016:** If you don't pay in full by this date, you lose the right to the lease and all the money you paid on the day of the sale.

We may offer any forfeited parcel(s) in a future sale.

- **Method of payment:**

- personal check;

Make checks payable to: **Department of the Interior-BLM.** We can't accept cash. If we returned a previous check to you for insufficient funds, we will require a guaranteed payment, such as a cashier's check.

- cashier's check;

- money order; or

- credit card (VISA, MasterCard, American Express, or Discover).

- **Effective June 1, 2015, the BLM will not accept credit card or debit card payments to the BLM for an amount greater than \$24,999.99. Effective immediately, there is a prohibition on the use of multiple credit card payments for a single obligation due to the Federal Government. We encourage you to make any payments of \$25,000.00 or more by automated Clearing House (ACH) or Fed Wire transfer (EFT).**

**We can't grant you any extension of time to pay the money due the day of the sale.**

- **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 issue the lease effective the first day of the month in which we sign it, if you submit a written request before we sign the lease.

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

We post the sale results in our Information Access Center and on the Internet at:

<http://on.doi.gov/1DY908>

You can buy a \$5 printed copy of the results list from the Information Access 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 2-year period beginning the day after the sale. To file a noncompetitive offer, you must submit:

- three copies of current lease form (Form 3100-11, July 2006 edition) with lands described as specified in our regulations at 43 CFR 3110.5. The lease form must contain the exact wording found on the current official form including the lease terms on pages two and three of the new form. It is not necessary for the offeror to attach page four of the new form which contains the General Instructions and Notices.
- \$410 nonrefundable administrative fee; and
- first year 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 Information Access Center. We consider these offers simultaneously filed. When a parcel receives more than one filing by 4:00 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. If we receive multiple offers on a single parcel, *we will hold the drawing on Thursday, July 14, 2016, at 1:00 p.m. at the MTSO Information Access Center.*

Oil and gas forms are available on the Internet at:

<http://www.blm.gov/noc/st/en/business/eForms.html>

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

The applicable Forest Service (FS) 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 FS offices:

- The individual District Ranger Office identified in the stipulation listing included with this sale notice, or
- The individual Forest Supervisor Office identified in the stipulation listing included with this sale notice, or
- Forest Service, Rocky Mountain Regional Office, 740 Simms Street, Golden, Colorado.

**Where can I obtain information pertaining to the stipulations identified for BLM surface managed parcels?**

Contact the appropriate BLM Field Office if you need additional information regarding the identified stipulations, including the specific portion of a legal subdivision affected by a stipulation.

**May I protest BLM's decision to offer the lands in this Notice for lease?**

**Yes.** Under regulation 43 CFR 3120.1-3, you may protest the inclusion of a parcel listed in this sale notice. All protests must meet the following requirements:

- Protests must be filed within 30 calendar days of the posting date of the sale. We must receive a protest no later than close of business on May 13, 2016. The protest must also include any statement of reasons to support the protest and be signed by the submitter. We will dismiss a late-filed protest or a protest filed without a statement of reasons or signature.
- A protest must state the interest of the protesting party in the matter.
- You may file a protest either by mail, in hardcopy form or by telefax to 406-896-5292. You may not file a protest by electronic mail. We will dismiss a protest sent to a fax number other than the fax number identified or a protest filed by electronic mail.
- If the party signing the protest is doing so on behalf of an association, partnership or corporation, the signing party must reveal the relationship between them and be authorized to file a protest in the group's name.
- Please be advised that all protest information and correspondence shall be made publically available.

*Before including your address, phone number, e-mail address, or other personal identifying information in your comment, be advised that your entire comment – including your personal identifying information – may be made publicly available at any time. Individual respondents may request confidentiality. If you wish to withhold your personal identifiable information from public review or from disclosure under the Freedom of Information Act, you must state this*

*prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.*

**May I appeal BLM's decision to deny my protest?**

**Yes.** An appeal from the State Director's decision must meet the requirements of Title 43 CFR §4.411 and Part 1840.

**If the BLM receives a timely protest of a parcel advertised on this Sale Notice, how does it affect bidding on the parcel?**

We will announce receipt of any protests at the beginning of the sale. We will also announce a decision to either withdraw the parcel or proceed with offering it at the sale.

**If I am the high bidder at the sale for a protested parcel, when will the BLM issue my lease?**

We will make every effort to decide the protest within 60 days after the sale. We won't issue a lease for a protested parcel until the State Director makes a decision on the protested parcel. If the State Director denies the protest, we will issue your lease concurrently with that decision.

**If I am the successful bidder of a protested parcel, may I withdraw my bid and receive a refund of my first year's rental and bonus bid?**

**No.** In accordance with BLM regulations (43 CFR 3120.5-3), you may not withdraw your bid.

**If BLM upholds the protest, how does that affect my competitive bid?**

If we uphold a protest and withdraw the parcel from leasing, we will refund your first year rental, bonus bid and administrative fee. If the decision upholding the protest results in additional stipulations, we will offer you an opportunity to accept or reject the lease with the additional stipulations prior to lease issuance. If you do not accept the additional stipulations, we will reject your bid and refund your first year rental, bonus bid and administrative fee.

**If BLM's decision to uphold the protest results in additional stipulations, may I appeal that decision?**

**Yes.** An appeal from the State Director's decision must meet the requirements of Title 43 CFR §4.411 and Part 1840.

**May I withdraw my bid if the protestor files an appeal?**

**No.** If the protestor appeals our decision to deny the protest, you may not withdraw your bid. We will issue your lease concurrently with the decision to deny the protest. If resolution of the appeal results in lease cancellation, we will authorize refund of the bonus bid, rentals and administrative fee if –

- there is no evidence that the lessee(s) derived any benefit from possession of the lease during the time they held it, and;
- there is no indication of bad faith or other reasons not to refund the rental, bonus bid and administrative fee.

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

You may (1) file an Expression of Interest, or (2) you may file a pre-sale offer.

**1. To file an Expression of Interest (EOI):**

An EOI must be made in writing (no specific form required) and either mailed, faxed or emailed to our office. **The BLM will publish EOI submissions received on or after January 1, 2014, on the website of the BLM State Office where the nominated parcel is located. EOI submitters who consider their name and address confidential should not include that information in their EOI. The BLM no longer requires submitters of EOIs to provide their name or address. Submitters may still provide this information for contact purposes; however, the BLM will make this information available to the public.** Make certain your EOI contains a complete legal land description. If your EOI contains split estate lands, you must provide the name and address of the current surface owner(s). No filing fee is required.

When submitting an EOI, you are not required to provide your name, address or phone. You may still provide this information for contact purposes; however, this information will be available to the public. Additional information regarding EOIs can be found at the following website: <http://blm.gov/hbkd>

**2. To file a noncompetitive presale offer:**

Under 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 1-year period; or
- have not been in a competitive lease sale within the previous 2-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 current lease form (Form 3100-11, July 2006) with lands described as specified in our regulations at 43 CFR 3110.5. The lease form must contain the exact wording found on the current official form including the lease terms on pages two and three of the new form. It is not necessary for the offeror to attach page four of the new form which contains the General Instructions and Notices.;
- \$410 nonrefundable administrative fee; and
- first year advance rental (\$1.50 per acre or fraction thereof); and
- the name and address of surface owner(s) if any lands are split estate.

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

**What are split estate lands?**

Split Estate lands are Federal minerals overlain with private surface. A Split Estate brochure is available at the Washington Office website: <http://blm.gov/jbkd>

The brochure outlines the rights, responsibilities, and opportunities of private surface owners and oil and gas operators in the planning, lease sale, permitting/development, and operations/production phases of the oil and gas program.

**If lands are split estate, how do I find the name and address of the current surface owner?**

Surface owner information can be found at the appropriate County Courthouse. Other options are:

The State of Montana hosts a website that you can use to determine the surface ownership for any parcels advertised on this list in Montana: <http://gis.mt.gov/>

For some counties in North Dakota, internet site [www.ndrin.com](http://www.ndrin.com) has available, for a fee, real estate records. Go to "Land Records," and in the second paragraph, select "click here" to see the list of participating counties.

The following is a website that has information available for lands in South Dakota—[www.beacon.schneidercorp.com](http://www.beacon.schneidercorp.com)

**Why am I required to provide the name and address of the surface owner with a nomination?**

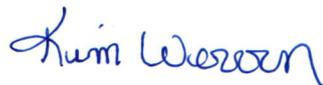
The surface owner information is required to enable the BLM to notify private surface owners when Federal minerals underlying their surface are included in an oil and gas Notice of Competitive Lease Sale. The letters will provide surface owners with the notice of the scheduled auction as well as information about the BLM's regulations and procedures concerning Federal oil and gas leasing and development on split estate lands.

**Who should I contact if I have a question regarding the competitive sale?**

For more information, contact a Land Law Examiner at 406-896-5026.

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

We are tentatively holding our next competitive sale on October 18, 2016.



Kim Werven, Chief  
Fluids Adjudication Section

**- OFFICIAL POSTING DATE MUST BE ON OR BEFORE APRIL 13, 2016 -**

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 Information Access Center 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

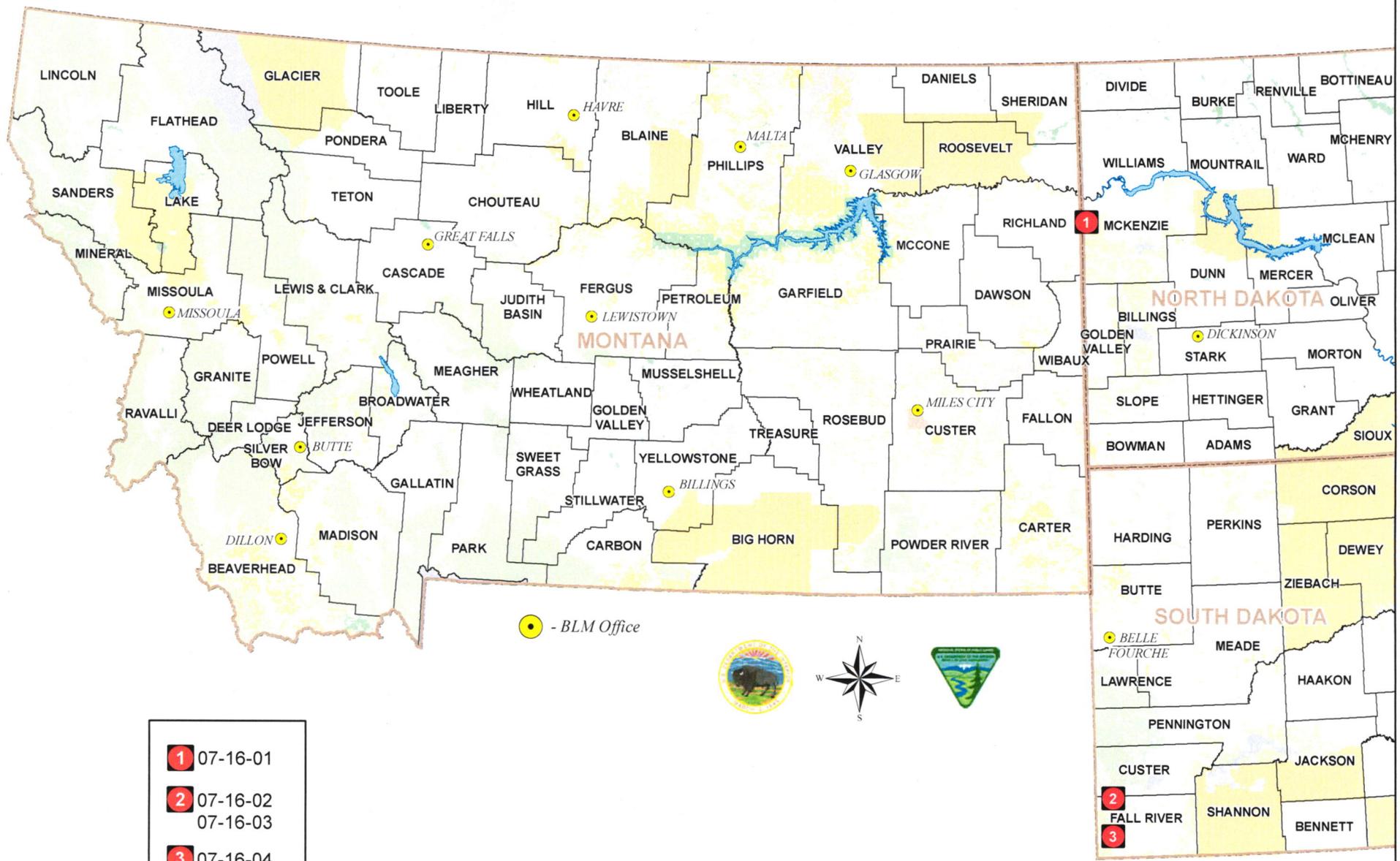
### NOTICE TO LESSEE

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.

# BLM Oil and Gas Lease Sale July 12, 2016



- 1 07-16-01
- 2 07-16-02  
07-16-03
- 3 07-16-04

- BLM Office



No warranty is made by the BLM as to the accuracy, reliability, or completeness of this data for individual use or aggregate use with other data.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
**COMPETITIVE OIL AND GAS OR  
GEOTHERMAL RESOURCES LEASE BID**

Mineral Leasing Act of 1920 (30 U.S.C. 181 et seq.)  
Act for Acquired Lands of 1947 (30 U.S.C. 351-359)  
Geothermal Steam Act of 1970 (30 U.S.C. 1001-1025)  
Department of the Interior Appropriations Act, Fiscal Year 1981 (42 U.S.C. 6508)

State \_\_\_\_\_

Date of Sale \_\_\_\_\_

PARCEL NUMBER	AMOUNT OF BID <i>(see instructions below)</i>	
	TOTAL BID	PAYMENT SUBMITTED WITH BID
THE BID IS FOR <i>(check one)</i> : <input type="checkbox"/> Oil and Gas Serial/Parcel No. _____		
<input type="checkbox"/> Geothermal Serial/Parcel No. _____		

The appropriate regulations applicable to this bid are: (1) for oil and gas leases--43 CFR 3120; (2) for National Petroleum Reserve-Alaska (NPR-A) leases--43 CFR 3132; and (3) for Geothermal resources leases--43 CFR 3203.17. *(See details concerning lease qualifications on next page.)*

I CERTIFY THAT I have read and am in compliance with; and not in violation of the lessee qualification requirements under the applicable regulations for this bid.

I CERTIFY THAT this bid is not in violation of 18 U.S.C. 1860 which prohibits unlawful combination or intimidation of bidders. I further certify that this bid was arrived at independently and is tendered without collusion with any other bidder for the purpose of restricting competition.

**IMPORTANT NOTICE:** Execution of this form where the offer is the high bid, constitutes a binding lease offer including all applicable terms and conditions. Failure to comply with the applicable laws and regulations under which this bid is made will result in rejection of the bid and forfeiture of all monies submitted.

\_\_\_\_\_  
Print or Type Name of Lessee

\_\_\_\_\_  
Signature of Lessee or Bidder

\_\_\_\_\_  
Address of Lessee

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State)

\_\_\_\_\_  
(Zip Code)

**INSTRUCTIONS**

**INSTRUCTIONS FOR OIL AND GAS OR GEOTHERMAL BID**  
*(Except NPR-A)*

1. Separate bid form for each lease/parcel is required. Identify by the serial/parcel number assigned in the *Notice of Competitive Lease Sale*.
2. Bid must be accompanied by the national minimum acceptable bid, the first year's rental and the administrative fee. The remittance must be in the form specified: (1) for oil and gas leases in 43 CFR 3103.1-1; and (2) for geothermal resources leases in 43 CFR 3203.17. The remainder of the bonus bid, if any, must be submitted to the proper Bureau of Land Management (BLM) office within 10 working days for oil and gas, and 15 working days for geothermal, after the last day of the oral auction. **Failure to submit the remainder of the bonus bond within the statutory timeframe (or regulatory) will result in rejection or revocation, as appropriate, of the bid offer and forfeiture of all monies paid.**
3. If the bidder is not the sole party in interest in the lease for which the bid is submitted, all other parties in interest may be required to furnish evidence of their qualifications upon written request by the BLM.
4. This bid may be executed (*signed*) before the oral auction. If signed before the oral auction, this form cannot be modified without being executed again.
5. In view of the above requirement (4), the bidder may wish to leave the AMOUNT OF BID section blank so that final bid amount may be either completed by the bidder or the BLM at the oral auction.

**INSTRUCTIONS FOR NPR-A OIL AND GAS BID**

1. Separate bid form for each parcel is required. Identify the parcel by the number assigned to a tract.
2. Bid must be accompanied by one-fifth of the amount of the bid. The remittance must be in the form specified in 43 CFR 3132.2 for a NPR-A lease bid.
3. Mark the envelope "Bid for NPR-A Lease". Be sure correct parcel number of tract on which the bid is submitted and date of bid opening are noted plainly on envelope. No bid may be modified or withdrawn unless such modification or withdrawal is received prior to time fixed for opening of bids.
4. Mail or deliver bid to the proper BLM office or place indicated in the *Notice of Competitive Lease Sale*.
5. If the bidder is not the sole party in interest in the lease for which the bid is submitted, all other parties in interest may be required to furnish evidence of their qualifications upon written request by the BLM.

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212 make it a crime for any person knowingly and willfully to make to any Department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

## QUALIFICATIONS

**For leases that may be issued as a result of this sale under the Mineral Leasing Act (The Act) of 1920, as amended, the oral bidder must:** (1) Be a citizen of the United States; an association (*including partnerships and trusts*) of such citizens; a municipality; or a corporation organized under the laws of the United States or of any State or Territory thereof; (2) Be in compliance with the acreage limitation requirements wherein the bidder's interests, direct and indirect, in oil and gas leases in the State identified do not exceed 246,080 acres each in public domain or acquired lands including acreage covered by this bid, of which not more than 200,000 acres are under options. If this bid is submitted for lands in Alaska, the bidder's holdings in each of the Alaska leasing districts do not exceed 300,000 acres, of which no more than 200,000 acres are under options in each district; (3) Be in compliance with Federal coal lease holdings as provided in sec. 2(a)2(A) of the Act; (4) Be in compliance with reclamation requirements for all Federal oil and gas holdings as required by sec. 17 of the Act; (5) Not be in violation of sec. 41 of the Act; and (6) Certify that all parties in this bid are in compliance with 43 CFR Groups 3000 and 3100 and the leasing authority cited herein.

**For leases that may be issued as a result of this sale under the Geothermal Steam Act of 1970, as amended, the bidder must:** (1) Be a citizen of the United States who is at least 18 years of age; an association of such citizens; a municipality; a corporation organized under the laws of the United States or of any State or Territory thereof; or a domestic governmental unit; and (2) Be in compliance with the acreage limitation requirements wherein the bidder's interests, direct and indirect, do not exceed 51,200 acres, and (3) Certify that all parties in this bid are in compliance with 43 CFR Group 3200 and the leasing authority cited herein.

**For leases that may be issued as a result of this sale under the Department of the Interior Appropriations Act of 1981, the bidder must:** (1) Be a citizen or national of the United States; an alien lawfully admitted for permanent residence; a private, public or municipal corporation organized under the laws of the United States or of any State or Territory thereof; an association of such citizens, nationals, resident aliens or private, public or municipal corporations; and (2) Certify that all parties in interest in this bid are in compliance with 43 CFR Part 3130 and the leasing authority cited herein.

## NOTICES

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this bid for a Competitive Oil and Gas or Geothermal Resource Lease.

AUTHORITY: 30 U.S.C. 181 et seq.; 30 U.S.C. 351-359; 30 U.S.C. 1001-1025; 42 U.S.C. 6508

PRINCIPAL PURPOSE: The information is to be used to process your bid.

ROUTINE USES: (1) The adjudication of the bidder's rights to the resources for which this bid is made. (2) Documentation for public information. (3) Transfer to appropriate Federal agencies when comment or concurrence is required prior to granting a right in public lands or resources. (4)(5) Information from the record and/or the record will be transferred to appropriate Federal, State, local or foreign agencies, when relevant to civil, criminal or regulatory investigations or prosecutions.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is voluntary. If all the information is not provided, your bid may be rejected.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

Serial Number

OFFER TO LEASE AND LEASE FOR OIL AND GAS

The undersigned (page 2) offers to lease all or any of the lands in Item 2 that are available for lease pursuant to the Mineral Lands Leasing Act of 1920, as amended and supplemented (30 U.S.C. 181 et seq.), the Mineral Leasing Act for Acquired Lands of 1947, as amended (30 U.S.C. 351-359), or \_\_\_\_\_ (other).

READ INSTRUCTIONS BEFORE COMPLETING

1. Name  
Street  
City, State, Zip Code

2. This application/offer/lease is for: (Check Only One)  PUBLIC DOMAIN LANDS  ACQUIRED LANDS (percent U.S. interest \_\_\_\_\_)

Surface managing agency if other than Bureau of Land Management (BLM): \_\_\_\_\_ Unit/Project \_\_\_\_\_

Legal description of land requested: \*Parcel No.: \_\_\_\_\_ \*Sale Date (mm/dd/yyyy): \_\_\_\_\_

**\*See Item 2 in Instructions below prior to completing Parcel Number and Sale Date.**

T. R. Meridian State County

Amount remitted: Filing fee \$ \_\_\_\_\_ Rental fee \$ \_\_\_\_\_ Total \$ \_\_\_\_\_  
Total acres applied for \_\_\_\_\_

DO NOT WRITE BELOW THIS LINE

3. Land included in lease:

T. R. Meridian State County

Total acres in lease \_\_\_\_\_

Rental retained \$ \_\_\_\_\_

This lease is issued granting the exclusive right to drill for, mine, extract, remove and dispose of all the oil and gas (except helium) in the lands described in Item 3 together with the right to build and maintain necessary improvements thereupon for the term indicated below, subject to renewal or extension in accordance with the appropriate leasing authority. Rights granted are subject to applicable laws, the terms, conditions, and attached stipulations of this lease, the Secretary of the Interior's regulations and formal orders in effect as of lease issuance, and to regulations and formal orders hereafter promulgated when not inconsistent with lease rights granted or specific provisions of this lease.

**NOTE: This lease is issued to the high bidder pursuant to his/her duly executed bid form submitted under 43 CFR 3120 and is subject to the provisions of that bid and those specified on this form.**

Type and primary term:

Noncompetitive lease (ten years)

Competitive lease (ten years)

Other \_\_\_\_\_

THE UNITED STATES OF AMERICA

by \_\_\_\_\_  
(BLM)

(Title)

(Date)

EFFECTIVE DATE OF LEASE \_\_\_\_\_

4. (a) Undersigned certifies that (1) offeror is a citizen of the United States; an association of such citizens; a municipality; or a corporation organized under the laws of the United States or of any State or Territory thereof, (2) all parties holding an interest in the offer are in compliance with 43 CFR 3100 and the leasing authorities; (3) offeror's chargeable interests, direct and indirect, in each public domain and acquired lands separately in the same State, do not exceed 246,080 acres in oil and gas leases (of which up to 200,000 acres may be in oil and gas options or 300,000 acres in leases in each leasing District in Alaska of which up to 200,000 acres may be in options), (4) offeror is not considered a minor under the laws of the State in which the lands covered by this offer are located; (5) offeror is in compliance with qualifications concerning Federal coal lease holdings provided in sec. 2(a)2(A) of the Mineral Leasing Act; (6) offeror is in compliance with reclamation requirements for all Federal oil and gas lease holdings as required by sec. 17(g) of the Mineral Leasing Act; and (7) offeror is not in violation of sec. 41 of the Act. (b) Undersigned agrees that signature to this offer constitutes acceptance of this lease, including all terms conditions, and stipulations of which offeror has been given notice, and any amendment or separate lease that may include any land described in this offer open to leasing at the time this offer was filed but omitted for any reason from this lease. The offeror further agrees that this offer cannot be withdrawn, either in whole or in part unless the withdrawal is received by the proper BLM State Office before this lease, an amendment to this lease, or a separate lease, whichever covers the land described in the withdrawal, has been signed on behalf of the United States.

**This offer will be rejected and will afford offeror no priority if it is not properly completed and executed in accordance with the regulations, or if it is not accompanied by the required payments.**

Duly executed this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_  
 (Signature of Lessee or Attorney-in-fact)

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212 make it a crime for any person knowingly and willfully to make to any department or Agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

#### LEASE TERMS

Sec. 1. Rentals--Rentals must be paid to proper office of lessor in advance of each lease year. Annual rental rates per acre or fraction thereof are:

- (a) Noncompetitive lease, \$1.50 for the first 5 years; thereafter \$2.00;
- (b) Competitive lease, \$1.50; for the first 5 years; thereafter \$2.00;
- (c) Other, see attachment, or

as specified in regulations at the time this lease is issued.

If this lease or a portion thereof is committed to an approved cooperative or unit plan which includes a well capable of producing leased resources, and the plan contains a provision for allocation of production, royalties must be paid on the production allocated to this lease. However, annual rentals must continue to be due at the rate specified in (a), (b), or (c) rentals for those lands not within a participating area.

Failure to pay annual rental, if due, on or before the anniversary date of this lease (or next official working day if office is closed) must automatically terminate this lease by operation of law. Rentals may be waived, reduced, or suspended by the Secretary upon a sufficient showing by lessee.

Sec. 2. Royalties--Royalties must be paid to proper office of lessor. Royalties must be computed in accordance with regulations on production removed or sold. Royalty rates are:

- (a) Noncompetitive lease, 12 1/2%;
- (b) Competitive lease, 12 1/2 %;
- (c) Other, see attachment; or

as specified in regulations at the time this lease is issued.

Lessor reserves the right to specify whether royalty is to be paid in value or in kind, and the right to establish reasonable minimum values on products after giving lessee notice and an opportunity to be heard. When paid in value, royalties must be due and payable on the last day of the month following the month in which production occurred. When paid in kind, production must be delivered, unless otherwise agreed to by lessor, in merchantable condition on the premises where produced without cost to lessor. Lessee must not be required to hold such production in storage beyond the last day of the month following the month in which production occurred, nor must lessee be held liable for loss or destruction of royalty oil or other products in storage from causes beyond the reasonable control of lessee.

Minimum royalty in lieu of rental of not less than the rental which otherwise would be required for that lease year must be payable at the end of each lease year beginning on or after a discovery in paying quantities. This minimum royalty may be waived, suspended, or reduced, and the above royalty rates may be reduced, for all or portions of this lease if the Secretary determines that such action is necessary to encourage the greatest ultimate recovery of the leased resources, or is otherwise justified.

An interest charge will be assessed on late royalty payments or underpayments in accordance with the Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA) (30 U.S.C. 1701). Lessee must be liable for royalty payments on oil and gas lost or wasted from a lease site when such loss or waste is due to negligence on the part of the operator, or due to the failure to comply with any rule, regulation, order, or citation issued under FOGRMA or the leasing authority.

Sec. 3. Bonds - A bond must be filed and maintained for lease operations as required under regulations.

Sec. 4. Diligence, rate of development, unitization, and drainage - Lessee must exercise reasonable diligence in developing and producing, and must prevent unnecessary damage to, loss of, or waste of leased resources. Lessor reserves right to specify rates of development and production in the public interest and to require lessee to subscribe to a cooperative or unit plan, within 30 days of notice, if deemed necessary for proper development and operation of area, field, or pool embracing these leased lands. Lessee must drill and produce wells necessary to protect leased lands from drainage or pay compensatory royalty for drainage in amount determined by lessor.

Sec. 5. Documents, evidence, and inspection - Lessee must file with proper office of lessor, not later than 30 days after effective date thereof, any contract or evidence of other arrangement for sale or disposal of production. At such times and in such form as lessor may prescribe, lessee must furnish detailed statements showing amounts and quality of all products removed and sold, proceeds therefrom, and amount used for production purposes or unavoidably lost. Lessee may be required to provide plats and schematic diagrams showing development work and improvements, and reports with respect to parties in interest, expenditures, and depreciation costs. In the form prescribed by lessor, lessee must keep a daily drilling record, a log, information on well surveys and tests, and a record of subsurface investigations and furnish copies to lessor when required. Lessee must keep open at all reasonable times for inspection by any representative of lessor, the leased premises and all wells, improvements, machinery, and fixtures thereon, and all books, accounts, maps, and records relative to operations, surveys, or investigations on or in the leased lands. Lessee must maintain copies of all contracts, sales agreements, accounting records, and documentation such as billings, invoices, or similar documentation that supports costs claimed as manufacturing, preparation, and/or transportation costs. All such records must be maintained in lessee's accounting offices for future audit by lessor. Lessee must maintain required records for 6 years after they are generated or, if an audit or investigation is underway, until released of the obligation to maintain such records by lessor.

During existence of this lease, information obtained under this section will be closed to inspection by the public in accordance with the Freedom of Information Act (5 U.S.C. 552).

Sec. 6. Conduct of operations - Lessee must conduct operations in a manner that minimizes adverse impacts to the land, air, and water, to cultural, biological, visual, and other resources, and to other land uses or users. Lessee must take reasonable measures deemed necessary by lessor to accomplish the intent of this section. To the extent consistent with lease rights granted, such measures may include, but are not limited to, modification to siting or design of facilities, timing of operations, and specification of interim and final reclamation measures. Lessor reserves the right to continue existing uses and to authorize future uses upon or in the leased lands, including the approval of easements or rights-of-way. Such uses must be conditioned so as to prevent unnecessary or unreasonable interference with rights of lessee.

Prior to disturbing the surface of the leased lands, lessee must contact lessor to be apprised of procedures to be followed and modifications or reclamation measures that may be necessary. Areas to be disturbed may require inventories or special studies to determine the extent of impacts to other resources. Lessee may be required to complete minor inventories or short term special studies under guidelines provided by lessor. If in the conduct of operations, threatened or endangered species, objects of historic or scientific interest, or substantial unanticipated environmental effects are observed, lessee must immediately contact lessor. Lessee must cease any operations that would result in the destruction of such species or objects.

Sec. 7. Mining operations - To the extent that impacts from mining operations would be substantially different or greater than those associated with normal drilling operations, lessor reserves the right to deny approval of such operations.

Sec. 8. Extraction of helium - Lessor reserves the option of extracting or having extracted helium from gas production in a manner specified and by means provided by lessor at no expense or loss to lessee or owner of the gas. Lessee must include in any contract of sale of gas the provisions of this section.

Sec. 9. Damages to property - Lessee must pay lessor for damage to lessor's improvements, and must save and hold lessor harmless from all claims for damage or harm to persons or property as a result of lease operations.

Sec. 10. Protection of diverse interests and equal opportunity - Lessee must pay, when due, all taxes legally assessed and levied under laws of the State or the United States; accord all employees complete freedom of purchase; pay all wages at least twice each month in lawful money of the United States; maintain a safe working environment in accordance with standard industry practices; and take measures necessary to protect the health and safety of the public.

Lessor reserves the right to ensure that production is sold at reasonable prices and to prevent monopoly. If lessee operates a pipeline, or owns controlling interest in a pipeline or a company operating a pipeline, which may be operated accessible to oil derived from these leased lands, lessee must comply with section 28 of the Mineral Leasing Act of 1920.

Lessee must comply with Executive Order No. 11246 of September 24, 1965, as amended, and regulations and relevant orders of the Secretary of Labor issued pursuant thereto. Neither lessee nor lessee's subcontractors must maintain segregated facilities.

Sec. 11. Transfer of lease interests and relinquishment of lease - As required by regulations, lessee must file with lessor any assignment or other transfer of an interest in this lease. Lessee may relinquish this lease or any legal subdivision by filing in the proper office a written relinquishment, which will be effective as of the date of filing, subject to the continued obligation of the lessee and surety to pay all accrued rentals and royalties.

Sec. 12. Delivery of premises - At such time as all or portions of this lease are returned to lessor, lessee must place affected wells in condition for suspension or abandonment, reclaim the land as specified by lessor and, within a reasonable period of time, remove equipment and improvements not deemed necessary by lessor for preservation of producible wells.

Sec. 13. Proceedings in case of default - If lessee fails to comply with any provisions of this lease, and the noncompliance continues for 30 days after written notice thereof, this lease will be subject to cancellation unless or until the leasehold contains a well capable of production of oil or gas in paying quantities, or the lease is committed to an approved cooperative or unit plan or communitization agreement which contains a well capable of production of unitized substances in paying quantities. This provision will not be construed to prevent the exercise by lessor of any other legal and equitable remedy, including waiver of the default. Any such remedy or waiver will not prevent later cancellation for the same default occurring at any other time. Lessee will be subject to applicable provisions and penalties of FOGRMA (30 U.S.C. 1701).

Sec. 14. Heirs and successors-in-interest - Each obligation of this lease will extend to and be binding upon, and every benefit hereof will inure to the heirs, executors, administrators, successors, beneficiaries, or assignees of the respective parties hereto.

A. General:

1. Page 1 of this form is to be completed only by parties filing for a noncompetitive lease. The BLM will complete page 1 of the form for all other types of leases.
2. Entries must be typed or printed plainly in ink. Offeror must sign Item 4 in ink.
3. An original and two copies of this offer must be prepared and filed in the proper BLM State Office. See regulations at 43 CFR 1821.2-1 for office locations.
4. If more space is needed, additional sheets must be attached to each copy of the form submitted.

B. Special:

Item 1 - Enter offeror's name and billing address.

Item 2 - Identify the mineral status and, if acquired lands, percentage of Federal ownership of applied for minerals. Indicate the agency controlling the surface of the land and the name of the unit or project which the land is a part. The same offer may not include both Public

Domain and Acquired lands. Offeror also may provide other information that will assist in establishing title for minerals. The description of land must conform to 43 CFR 3110. A single parcel number and Sale Date will be the only acceptable description during the period from the first day following the end of a competitive process until the end of that same month, using the parcel number on the List of Lands Available for Competitive Nominations or the Notice of Competitive Lease Sale, whichever is appropriate.

Payments: The amount remitted must include the filing fee and the first year's rental at the rate of \$1.50 per acre or fraction thereof. The full rental based on the total acreage applied for must accompany an offer even if the mineral interest of the United States is less than 100 percent. The filing fee will be retained as a service charge even if the offer is completely rejected or withdrawn. To protect priority, it is important that the rental submitted be sufficient to cover all the land requested. If the land requested includes lots or irregular quarter-quarter sections, the exact area of which is not known to the offeror, rental should be submitted on the basis of each such lot or quarter-quarter section containing 40 acres. If the offer is withdrawn or rejected in whole or in part before a lease issues, the rental remitted for the parts withdrawn or rejected will be returned.

Item 3 - This space will be completed by the United States.

#### NOTICES

The Privacy Act of 1974 and the regulations in 43 CFR 2.48(d) provide that you be furnished with the following information in connection with information required by this oil and gas lease offer.

AUTHORITY: 30 U.S.C. 181 et seq.; 30 U.S.C 351-359.

PRINCIPAL PURPOSE: The information is to be used to process oil and gas offers and leases.

ROUTINE USES: (1) The adjudication of the lessee's rights to the land or resources. (2) Documentation for public information in support of notations made on land status records for the management, disposal, and use of public lands and resources. (3) Transfer to appropriate Federal agencies when consent or concurrence is required prior to granting a right in public lands or resources. (4)(5) Information from the record and/or the record will be transferred to appropriate Federal, State, local or foreign agencies, when relevant to civil, criminal or regulatory investigations or prosecutions.

EFFECT OF NOT PROVIDING INFORMATION: If all the information is not provided, the offer may be rejected. See regulations at 43 CFR 3100.

<b>NORTH DAKOTA FIELD OFFICE</b>		
<b>PARCEL NUMBER</b>	<b>PARCEL DESCRIPTION</b>	<b>PARCEL STIPULATIONS</b>
<b>07-16-01</b> <b>NDM 108589</b> <b>NDM 97300-6K</b>	T. 150 N, R. 104 W, 5TH PM, ND SEC. 20 LOT 1; MCKENZIE COUNTY 5.00 AC PD  This parcel is within Communitization Agreement (CA) NDM 106748 which includes the All of Section 20 and communitizes the Bakken Formation. The CA was effective December 1, 2012. These lands are committed to the CA, and joinder is not required. The CA operator may require the successful bidder to pay certain administrative and operating costs.	<b>CR 16-1 (ALL LANDS)</b> <b>CSU 12-5 (ALL LANDS)</b> <b>LN 14-2 (ALL LANDS)</b> <b>LN 14-3 (ALL LANDS)</b> <b>NSO 11-33 (ALL LANDS)</b> <b>NSO 11-36 (ALL LANDS)</b> <b>STD 16-3 (ALL LANDS)</b> <b>TES 16-2 (ALL LANDS)</b> <b>TL 13-15 (ALL LANDS)</b> <b>BOR 17-1 (ALL BOR LANDS)</b> <b>BOR 17-2 (ALL BOR LANDS)</b>

<b>FOREST SERVICE REGION 2 SPLIT ESTATE</b>		
<b>PARCEL NUMBER</b>	<b>PARCEL DESCRIPTION</b>	<b>PARCEL STIPULATIONS</b>
<b>07-16-02</b> <b>SDM 108590</b> <b>SDM 97300-RT</b>	T. 8 S, R. 1 E, BHM, SD SEC. 1 SWNE,S2NW,SW,NWSE; FALL RIVER COUNTY 320.00 AC PD	<b>CR 16-1 (ALL LANDS)</b> <b>CSU 12-20 (ALL LANDS)</b> <b>LN 14-31 (ALL LANDS)</b> <b>TES 16-2 (ALL LANDS)</b> <b>NGP-13d (Fall River RD) (ALL LANDS)</b> <b>NGP TL 15-05</b> SEC. 1 S2SW; <b>NGP CSU 16-01</b> SEC. 1 W2SW, SESW, NWSE; <b>NGP CSU 16-06 (ALL LANDS)</b>
<b>07-16-03</b> <b>SDM 108591</b> <b>SDM 97300-RY</b>	T. 8 S, R. 1 E, BHM, SD SEC. 25 W2SW; FALL RIVER COUNTY 80.00 AC ACQ	<b>CR 16-1 (ALL LANDS)</b> <b>CSU 12-20 (ALL LANDS)</b> <b>LN 14-31 (ALL LANDS)</b> <b>TES 16-2 (ALL LANDS)</b> <b>NGP-13d (Fall River RD) (ALL LANDS)</b> <b>NGP NSO 14-08 (ALL LANDS)</b> <b>NGP TL 15-05 (ALL LANDS)</b> <b>NGP CSU 16-01 (ALL LANDS)</b> <b>NGP CSU 16-06 (ALL LANDS)</b>
<b>07-16-04</b> <b>SDM 108592</b> <b>SDM 97300-TH</b>	T. 9 S, R. 1 E, BHM, SD SEC. 31 E2; FALL RIVER COUNTY 320.00 AC PD	<b>CR 16-1 (ALL LANDS)</b> <b>CSU 12-20 (ALL LANDS)</b> <b>LN 14-31 (ALL LANDS)</b> <b>TES 16-2 (ALL LANDS)</b> <b>NGP-13d (Fall River RD) (ALL LANDS)</b> <b>NGP CSU 16-01</b> SEC. 31 N2NE, SENE, S2SE; <b>NGP CSU 16-06 (ALL LANDS)</b>

### STATISTICS

Total North Dakota Parcels/Acreage	1	5.00
North Dakota Field Office Parcels/Acreage	1	5.00
Total South Dakota Parcels/Acreage	3	720.00
Forest Service Region II Split Estate Parcels/Acreage	3	720.00
Total Parcels/Acreage	4	725.00
No. of Parcels with Presale Offers	0	

### FOOTNOTES

- 1/ The exact metes and bounds description will be made a part of any lease issued for these lands.
  
- 2/ The United States has a fractional mineral interest. Rentals and the bonus bid are payable on the total gross acres. Royalties are payable on the net acres.
  
- 3/ In accordance with the Federal Property and Administrative Services Act of 1949, GSA surplus lands are available by competitive bid only. If no bids are received, they are not available for noncompetitive lease offer.

**The following is a summary of oil and gas leasing stipulations and a brief description of each.**

**The list identifies which field office(s) each BLM stipulation is applicable to, based on the most recent planning documents for each office.**

**You may access the entire stipulation language in our online library at:**  
[http://www.blm.gov/mt/st/en/prog/energy/oil\\_and\\_gas/leasing/stipulations.html](http://www.blm.gov/mt/st/en/prog/energy/oil_and_gas/leasing/stipulations.html)

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
<b>Bureau of Land Management</b>		
<b>CULTURAL RESOURCES STIPULATION (CR)</b>		
<b>CR 16-1</b>	<b>CULTURAL RESOURCES</b> This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities.	All Field Offices
<b>CONTROLLED SURFACE USE STIPULATION (CSU)</b>		
<b>CSU 12-1</b>	<b>SLOPES OVER 30 PERCENT</b> Surface occupancy or use is subject to the following special operating constraint: Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer.	Dillon
<b>CSU 12-5</b>	<b>RIPARIAN AREAS OF WETLANDS, STREAMS, AND RIVERS</b> Surface occupancy or use will be subject to the following special operating constraint: No disturbance of riparian areas of wetlands, intermittent, ephemeral, or perennial streams and rivers would be allowed except for essential road and utility crossings	North Dakota
<b>CSU 12-6</b>	<b>SPECIAL RECREATION MANAGEMENT AREAS (SRMAs)</b> Surface occupancy or use is subject to the following special operating constraint: Operations within Special Recreation Management Areas (SRMAs) must be conducted in a manner that minimizes encounters and conflicts with recreation users. Proposed activities may not alter or depreciate important recreational values located outside of developed areas but within the SRMA boundary.	Dillon
<b>CSU 12-7</b>	<b>MOTORIZED VEHICLE USE</b> Surface occupancy or use is subject to the following special operating constraint: Oil and gas activities will comply with all motorized vehicle use and travel plan restrictions, including seasonal restrictions and areas closed to motorized travel.	Dillon
<b>CSU 12-8</b>	<b>CULTURAL OR PALEONTOLOGICAL LOCALITIES INVENTORY</b> Surface occupancy or use is subject to the following special operating constraint: An inventory of the leased lands may be required prior to surface disturbance to determine if cultural resources or paleontological localities are present and to identify needed mitigation measures.	Butte Dillon
<b>CSU 12-9</b>	<b>SIGNIFICANT PALEONTOLOGICAL INVENTORY</b> Surface occupancy or use is subject to the following special operating constraint: In areas known to have a high potential for containing significant paleontological resources, the lessee may be required to conduct a paleontological inventory prior to any surface disturbance. If inventory is required, the lessee must engage the services of a qualified paleontologist, acceptable to the Surface Managing Agency, 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 operations is submitted.	Dillon

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
CSU 12-10	<p><b>VISUAL RESOURCE MANAGEMENT (VRM)</b>            Surface occupancy or use is subject to the following special operating constraint: All surface disturbing activities and construction of semi-permanent and permanent facilities in Visual Resource Management (VRM) Class II, III, and IV areas may require special design including location, painting, and camouflage to blend with the natural surroundings and meet the visual quality objectives for each respective class.</p>	Butte Dillon
CSU 12-11	<p><b>SPECIAL STATUS PLANT SPECIES</b>            Surface occupancy or use is subject to the following special operating constraint: A field inspection will be conducted for special status plant species by the lessee prior to any surface disturbance. A list of special status plant species and any known populations or suitable habitat will be provided after the issuance of the lease. Plant species on the list are subject to change over time as new information becomes available. Plant inventories must be conducted at the time of year when the target species are actively growing and flowering. An acceptable report must be provided to the BLM documenting the presence or absence of special status plants in the area proposed for surface disturbing activities. The findings of this report may result in restrictions to the operator's plans or may preclude use and occupancy.</p>	Butte Dillon
CSU 12-12	<p><b>THREATENED, ENDANGERED OR OTHER SPECIAL STATUS SPECIES</b>            Surface occupancy or use is subject to the following special operating constraints:            The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. The 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. The 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. The BLM will not approve any ground-disturbing activity that may affect any such species or requirements of the Endangered Species Act as amended, 16 U.S.C. § et seq., including completion of any required procedure for conference or consultation.</p>	Butte Dillon
CSU 12-13	<p><b>WESTSLOPE CUTTHROAT TROUT</b>            Surface occupancy or use is subject to the following special operating constraint:            Activities within one-half mile of streams containing 90% up to 99% genetically pure westslope cutthroat trout may be relocated, require special design, or require on and off site mitigation measures to prevent impacts to sensitive trout populations.</p>	Dillon
CSU 12-18	<p><b>NON-BOULDER BATHOLITH AND BOULDER BATHOLITH SOILS</b>            Surface occupancy or use is subject to the following special operating constraint: Prior to surface disturbance on areas of active mass wasting, unstable land areas, or slopes greater than 30 on non-Boulder Batholith soils or 20 percent on Boulder Batholith soils, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:</p> <ul style="list-style-type: none"> <li>•site productivity will be restored.</li> <li>•surface runoff will be adequately controlled.</li> <li>•off-site areas will be protected from accelerated soil erosion.</li> <li>•surface disturbing activities will not be conducted during wet periods.</li> </ul>	Butte
CSU 12-19	<p><b>SPECIAL RECREATION MANAGEMENT AREAS (SRMAs)</b>            Surface occupancy or use is subject to the following special operating constraint: Operations within Special Recreation Management Areas (SRMAs) must be conducted within a manner that minimizes encounters and conflicts with recreation users. Proposed activities may not alter or depreciate important recreational values located within the SRMA boundary.</p>	Butte

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
CSU 12-20	<p><b>PALEONTOLOGICAL RESOURCES</b>            Surface occupancy or use is subject to the following special operating constraint:            Prior to undertaking any surface-disturbance activities on lands covered by this lease, the lessee or operator, unless notified by the contrary by the BLM, shall:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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 cost associated with the inventory and mitigation will be borne by the lessee or operator.</li> <li>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.</li> </ol>	South Dakota
CSU 12-23	<p><b>AIR RESOURCES</b>            Surface occupancy and use is subject to the requirement that each diesel-fueled non-road engine with greater than 200 horsepower design rating to be used during drilling or completion activities meets one of the following two criteria: (1) the engine was manufactured to meet USEPA NOx emission standards for Tier 4 non-road diesel engines, or (2) the engine emits NOx at rates less than or equal to USEPA emission standards for Tier 4 non-road diesel engines.</p>	Havre Miles City South Dakota
CSU 12-24	<p><b>SOILS, SENSITIVE SOILS</b>            Surface occupancy and use is subject to the following operating constraints: prior to surface occupancy and use, prior to surface disturbance on sensitive soils, a reclamation plan must be approved by the administrative officer. Sensitive soils are determined using a combination of slope and soil erodibility. The plan must demonstrate the following:</p> <ul style="list-style-type: none"> <li>o no other practicable alternatives exist for relocating the activity,</li> <li>o the activity will be located to reduce impacts to soil and water resources,</li> <li>o site productivity will be maintained or restored,</li> <li>o surface runoff and sedimentation will be adequately controlled,</li> <li>o on- and off-site areas will be protected from accelerated erosion,</li> <li>o that no areas susceptible to mass wasting would be disturbed, and</li> <li>o surface-disturbing activities will be prohibited during extended wet periods.</li> </ul>	Miles City South Dakota
CSU 12-25	<p><b>RIPARIAN, WETLANDS</b>            Surface occupancy and use is subject to the following operating constraints: prior to surface occupancy and use within 300 feet of riparian and/or wetland areas, a plan must be approved by the AO with design features that demonstrate how all actions would maintain and/or improve the functionality of riparian/wetland areas. The plan would address:</p> <ul style="list-style-type: none"> <li>o potential impacts to riparian and wetland resources,</li> <li>o mitigation to reduce impacts to acceptable levels (including timing restrictions),</li> <li>o post-project restoration, and</li> <li>o monitoring (the operator must conduct monitoring capable of detecting early signs of changing riparian and/or wetland conditions).</li> </ul>	Billings Havre Miles City South Dakota
CSU 12-26	<p><b>BIG GAME CRUCIAL WINTER RANGE</b>            Surface occupancy and use is subject to the following operating constraint: prior to surface occupancy and use within crucial winter ranges for big game wildlife, a plan must be approved by the AO that maintains the functionality of habitat.</p>	Miles City

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
CSU 12-27	<b>SHARP-TAILED GROUSE LEKS AND NESTING HABITAT</b> Surface occupancy and use is subject to design features on or within 2 miles of sharp-tailed grouse lek sites to protect breeding, nesting, and brood-rearing habitats at a level capable of supporting the long-term populations associated with the lek.	Miles City
CSU 12-28	<b>BIGHORN SHEEP HABITAT</b> Surface occupancy and use is subject to the following operating constraints: prior to surface occupancy and use a plan shall be prepared by the proponent and approved by the AO with confirmation from MFWP. The plan must demonstrate to the AO's satisfaction, the function and suitability of the habitat will not be impaired.	Miles City
CSU 12-29	<b>BLACK-TAILED PRAIRIE DOGS</b> Surface occupancy and use within black-tailed prairie dog colonies active within the past 10 years would be allowed with design features that maintain functionality of the habitat.	Miles City
CSU 12-30	<b>SAGE-GROUSE GENERAL HABITAT MANAGEMENT AREAS</b> Surface occupancy and use within 2 miles of the perimeter of a lek active within the past 5 years may be restricted or prohibited. Prior to such activities, a plan to mitigate impacts to breeding or nesting sage-grouse; or breeding, nesting, or brood rearing habitat will be prepared by the proponent and implemented upon approval by the AO.	Miles City
CSU 12-31	<b>SAGE-GROUSE HABITAT – CEDAR CREEK RESTORATION HABITAT MANAGEMENT AREA</b> Surface occupancy and use would be allowed with design features to minimize disturbance to sage-grouse habitat.	Miles City
CSU 12-32	<b>DESIGNATED SPORT-FISH RESERVOIRS</b> Surface occupancy and use would be allowed in and within 0.25 miles of sport-fish reservoirs with design features to minimize impacts.	Miles City
CSU 12-33	<b>VRM CLASSES II</b> In order to retain the existing character of the landscape (VRM Class II Objective), oil and gas development activities will be located, designed, constructed, operated, and reclaimed within 2 years from initiation of construction so that activities should not attract attention of the casual observer. This stipulation does not apply to maintenance or workover activities.	Miles City
CSU 12-34	<b>RECREATION</b> Surface occupancy and use is subject to the following operating constraints: operations within developed and undeveloped recreation areas receiving concentrated public use must be conducted in a manner that minimizes encounters and conflicts with recreation users. Proposed activities may not alter or depreciate important recreational values located within these developed and undeveloped areas.	Miles City
CSU 12-35	<b>SIGNIFICANT CULTURAL RESOURCES, NRHP – ELIGIBLE PROPERTIES AND DISTRICTS, AND TCPs, NHLs AND HISTORIC BATTLEFIELDS</b> Surface occupancy and use and surface disturbance is restricted within the Setting Consideration Zone where the integrity of the setting is a contributing element of NRHP significance of a property, for the following historic properties: Wolf Mountains Battlefield NHL and Battle Butte Battlefield ACEC; Reynolds Battlefield site and Reynolds Battlefield ACEC; Cedar Creek Battlefield site and Cedar Creek Battlefield ACEC; and the Long Medicine Wheel ACEC, and all significant Cultural Resources, NRHP-eligible Properties and Districts, and TCPs, NHLs and Historic Battlefields and the Lewis and Clark National Historic Trail. Prior to surface disturbance, occupancy or use within the Setting Consideration Zone of the identified historic properties a mitigation plan (Plan) must be submitted to the BLM by the applicant as a component of the APD (BLM Form 3160-3) or Sundry Notice (BLM Form 3160-5) – Surface Use Plan of Operations. The operator may not initiate surface-disturbing activities unless the BLM AO has approved the Plan or approved it with conditions. (b) The Plan must demonstrate to the AO's satisfaction that the infrastructure will either not be visible or will result in a weak contrast rating and would not have an adverse effect on the setting of the historic properties, ensuring the setting of historic properties.	Miles City
CSU 12-36	<b>SHARP-TAILED GROUSE AND GREATER PRAIRIE-CHICKEN LEKS</b> Oil and gas leasing within 2 miles of a lek will be subject to a plan approved by BLM	South Dakota

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	that provides adequate mitigation measures and conservation actions to protect breeding, nesting, and brood-rearing habitats and limit disturbance in a manner that will support the long-term populations associated with the lek and surrounding habitat.	
CSU 12-37	<b>SHARP-TAILED GROUSE AND GREATER PRAIRIE-CHICKEN NESTING AREA RAPTOR PERCHES</b> Structures that are over 10 feet in height that create raptor perches will not be authorized or will require anti-perch devices within the 2 mile buffer of sharp-tailed grouse and greater prairie-chicken leks.	South Dakota
CSU 12-38	<b>SHARP-TAILED GROUSE AND GREATER PRAIRIE-CHICKENS – UNDERGROUND UTILITY (POWER AND TRANSMISSION) LINES</b> Power lines must be buried, designed or sited in a manner which does not impact sharp-tailed grouse or greater prairie-chickens within a 2 mile buffer of leks.	South Dakota
CSU 12-39	<b>BIG GAME WINTER RANGE</b> Prior to surface occupancy and use a plan shall be prepared by the proponent as a component of the APD, Sundry Notice, etc. and approved by the AO with confirmation from the state wildlife management agency. The operator shall not initiate surface-disturbing activities unless the AO has approved the plan. The plan must demonstrate to the AO's satisfaction the function and stability of the habitat will not be impaired.	South Dakota
CSU 12-40	<b>GREATER SAGE-GROUSE GENERAL HABITAT</b> Surface use prohibited within 2 miles of a lek. Surface disturbing and disruptive activities within 2 miles of a lek will be avoided unless the project proponent can clearly demonstrated that the impacts can be adequately mitigated and conservation actions or needed design features are included and the goals of this plan not compromised.	South Dakota
CSU 12-41	<b>GREATER SAGE-GROUSE GENERAL HABITAT MANAGEMENT AREAS (GHMAs) – UNDERGROUND UTILITY (POWER AND TRANSMISSION) LINES</b> All new utility and power lines that can be safely buried will be buried within 2 miles of sage-grouse leks and within sage-grouse winter range. When burial of power lines is not possible, above ground lines will be located and designed to minimize impacts of predation, collision, and other associated stressors to sage-grouse. Existing overhead lines within 2 miles of leks and within sage-grouse winter range will be evaluated for threats to sage-grouse and if necessary, modified to reduce the threat. If modification will not likely be effective, the overhead line may be relocated. Any requirements for modification or relocation of existing overhead lines will be subject to valid existing rights.	South Dakota
CSU 12-42	<b>PRAIRIE DOGS HABITAT</b> Oil and gas leasing will be open and surface occupancy and use on prairie dog colonies will be allowed provided adequate mitigation and conservation actions are implemented to maintain the functionality of the prairie dog habitat.	South Dakota
CSU 12-43	<b>VISUAL RESOURCES MANAGEMENT (VRM) FACILITIES CAMOUFLAGE</b> Semi-permanent or permanent facilities that are not specifically prohibited in VRM Class II areas may require special design including location, size, and camouflage painting to blend with the natural surroundings and meet the visual quality objectives for the area (applies to all activities). Surface disturbing activities in VRM Class III and IV may also require designs to reduce VRM impacts (applies to all activities).	South Dakota
CSU 12-44	<b>RIGHT-OF-WAY (ROW) AUTHORIZATIONS FOR VISUAL RESOURCES AND WILDLIFE</b> All fiber optic, telephone and power lines that can be safely buried will be buried or sited to have least impact on resources. All other utility lines will be evaluated at the project level.	South Dakota
CSU 12-45	<b>PUBLIC SAFETY - ABANDONED MINUTEMAN MISSILE SITES</b> Surface disturbing activity at U.S. Air Force abandoned Minuteman missile sites will be restricted on the sties and approximately 1/8 mile (approximately 200 meters) beyond the	South Dakota

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	sites. Subsurface activity will be prohibited under the sites and approximately 1/8 mile (approximately 200 meters) beyond the sites.	
CSU 12-46	<p><b>GREATER SAGE-GROUSE GENERAL HABITAT MANAGEMENT AREA (GHMA)</b></p> <p>All identified Greater Sage-Grouse habitat within GHMA is subject to the following operating constraints:            Maintain Greater Sage-Grouse habitat to promote movement and genetic diversity of Greater Sage-Grouse populations            To minimize the impacts of surface disturbing/disruptive activities and insure maintenance of habitat for sustainable populations of Greater Sage-Grouse within GHMA, surface disturbing and disruptive activities are subject to the following requirements.</p> <ul style="list-style-type: none"> <li>a) Surface disturbing/disruptive activities will prevent or minimize disturbance to Greater Sage-Grouse or their habitat. Except as identified above or during emergency situations, activities will not compromise the habitat.</li> <li>b) Continuous noise (related to long-term operations and/or activities) will be no greater than 49 decibels at 1/4 miles from the perimeter of the lek.</li> <li>c) Temporary noise (related to installation, maintenance, one-time use, emergency operations, etc.) exceeding 49 decibels at 1/4 miles from the perimeter of a lek or surface disturbing/disruptive activities may be allowed, but only from 10 a.m. to 4 p.m. between March 15 and May 15.</li> <li>d) Manage water developments to reduce the spread of West Nile virus within sage-grouse habitat areas.</li> <li>e) Site and/or minimize linear ROW to reduce disturbance to sagebrush habitats.</li> <li>f) Maximize placement of new utility developments (power lines, pipelines, etc.) and transportation routes in existing utility or transportation corridors.</li> <li>g) Power lines will be buried, eliminated, designed or sited in a manner which does not impact sage-grouse.</li> <li>h) Placement of other high profile structures, exceeding 10 feet in height, will be eliminated, designed or sited in a manner which does not impact sage-grouse.</li> <li>i) Remote monitoring of production facilities must be utilized and all permit applications must contain a plan to reduce the frequency of vehicle use.</li> <li>j) Maximize the area of interim reclamation on long-term access roads and well pads including reshaping, topsoiling and revegetating cut and fill slopes.</li> <li>k) Restore disturbed areas at final reclamation to pre-disturbance conditions or desired plant community.</li> <li>l) Permanent (longer than 2 months) structures which create movement must be designed or sited to minimize impacts to sage-grouse.</li> <li>m) Consider use of off-site mitigation, (e.g. creation of sagebrush habitat, purchase conservation easements, or buying down grazing) with proponent dollars to offset habitat losses.</li> <li>n) Consider creation of a "Mitigation Trust Account" when impacts cannot be avoided, minimized, or effectively mitigated through other means. If approved by the BLM, the proponent may contribute funding to maintain habitat function based on the estimated cost of habitat treatments or other mitigation needed to maintain the functions of impacted habitats. Off-site mitigation should only be considered when no feasible options are available to adequately mitigate within and immediately adjacent to the impacted site, or when the off-site location will provide more effective mitigation of the impact than can be achieved on-site.</li> </ul>	North Dakota
CSU 12-47	<p><b>BIG GAME WINTER RANGE</b></p> <p>Prior to surface occupancy and use a plan shall be prepared by the proponent as a component of the APD, Sundry Notice, etc. and approved by the AO with coordination with the state wildlife management agency. The operator shall not initiate surface-disturbing activities unless the AO has approved the plan. The plan must demonstrate to the AO's satisfaction the function and stability of the habitat will not be impaired.</p>	Billings

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	Surface occupancy and use activities will be restricted to one oil and gas surface disturbance per 640 acres of land. Cumulative disturbance from all activities cannot exceed more than 5 percent of the winter range habitat in 640 acres. To maintain functional habitat and the associated populations, disturbed areas would have to be fully reclaimed to pre-disturbance conditions or to a desired plant community before additional disturbance could be approved. The plan will address how short-term and long-term direct and indirect effects to winter range will be mitigated based on current science and research. The plan will also include a monitoring protocol.	
CSU 12-48	<b>CAVES AND KARSTS</b> Surface occupancy and use is subject to the following operating constraints: Cave and karst areas will be inventoried prior to oil and gas exploration or development by the lessee. An approved mitigation plan will be required to avoid impacts to cave resources.	Billings
CSU 12-49	<b>HISTORIC TRAILS</b> Surface occupancy and use is subject to the following operating constraints: Oil and Gas leasing, exploration, and development would be allowed within 1/4 mile of the following historic trails Bridger Cut-Off Trail (all three routes) and the Meeteetse Trail with the following stipulation: Avoid, minimize, or mitigate adverse effects to historic landscapes surrounding these historic trails as a result of BLM land-use authorizations and to have no net decrease in the value of high-potential segments or sites regardless of NRHP eligibility.	Billings
CSU 12-50	<b>SPECIAL RECREATION MANAGEMENT AREAS</b> Surface occupancy and use is subject to the following operating constraints: Operations within Special Recreation Management Areas (SRMAs) must be conducted in a manner that minimized encounters and conflicts with recreation users. Proposed activities may not alter or depreciate important recreational values located outside of developed areas, but within the SRMA boundary.	Billings
CSU 12-51	<b>SPECIAL STATUS PLANTS</b> Surface occupancy or use is subject to the following operating constraints. A field inspection will be conducted for special status plant species by the lessee prior to any surface disturbance. A list of special status plant species and any known populations or suitable habitat will be provided after the issuance of the lease. Plant species on the list are subject to change over time as new information becomes available. Plant inventories must be conducted at the time of the year when the target species are actively growing and flowering. An acceptable report must be provided to the BLM documenting the presence or absence of special status plants in the area proposed for surface disturbing activities. The findings of this report may result in restrictions to the operator's plans or may preclude use and occupancy.	Billings
CSU 12-52	<b>ELK CALVING GROUNDS</b> Surface occupancy or use is subject to the following operating constraints: Prior to surface occupancy and use a plan shall be prepared by the proponent as a component of the APD, Sundry Notice, etc. and approved by the authorized officer in coordination with the state wildlife management agency. The operator shall not initiate surface disturbing activities unless the authorized officer has approved the plan. The plan must demonstrate to the authorized officer's satisfaction the function and suitability of the habitat will not be impaired.	Billings
CSU 12-53	<b>INVASIVE SPECIES AND NOXIOUS WEEDS</b> Surface occupancy and use is subject to the following operating constraints. The following noxious weed(s) has been identified within the boundaries of the lease parcel: _____ If operator(s) chooses to disrupt/build roads/build facilities on the parcel, then the operator(s) will be responsible for providing an Integrated Weed Management (IWP) plan and the operator will be also responsible for the cost of treatment and monitoring throughout the duration of the project. 1. Site Inventories: a. Must be conducted to determine the presence of noxious weeds for all disturbance or use areas. b. Are required in known habitat for all areas proposed for	Billings

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	<p>surface disturbance before initiating project activities, at a time when the plant can be detected, and during appropriate flowering periods. c. Should include documentation on individual plant locations. d. Individual(s) qualified in the identification of invasive species must conduct surveys.</p> <p>2. Lease activities will require monitoring throughout the duration of the project to prevent the spread and introduction and ensure desired results of past treatment(s).</p> <p>3. Project activities must be designed to minimize soil disturbance to the extent practical, consistent with project objectives. a. Avoid creating soil conditions that promote weed germination and establishment. b. Avoid or minimize all types of travel through weed-infested areas or restrict travel to periods when the spread of seeds or propagules is least likely. c. Prevent the introduction and spread of weeds caused by moving weed-infested sand, gravel, borrow, and fill material. d. Inspect material sources before moving infested material to site. e. Any and all equipment undercarriage must be power washed prior to entry to the aforementioned parcel and prior to leaving public highways/roads. When temperatures fall below freezing (32°F), high pressure air may be substituted for power washing. f. All disturbed areas will be revegetated to native species composed of indigenous species appropriate to the area.</p>	
CSU 12-54	<p><b>CULTURAL RESOURCE SURVEY REQUIREMENTS</b></p> <p>An inventory of those portions of the leased lands subject to proposed disturbance may be required prior to any surface disturbance to determine if cultural resources are present and to identify needed mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator shall:</p> <p>1. The lessee or operator shall engage the services of a cultural resource consultant acceptable to the Surface Management Agency (SMA) to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the standard minimum to cover possible site relocation which may result from environmental or other considerations. Requirements for inventory methods including the size of standard APD survey areas will be followed as described in <i>Inventory Requirements for Proposed Well Sites, APD's -Well Pad/Block Inventory</i> in IM MT2015-043, or subsequent updates to this IM. 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.</p> <p>2. Implement mitigation measures required by the SMA. Mitigation may include the relocation of proposed lease-related activities or other protective measures such as data recovery and extensive recordation. Where impacts to cultural resources cannot be mitigated to the satisfaction of the SMA, surface occupancy on that area must be prohibited. The lessee or operator shall immediately bring to the attention of the SMA any cultural resources discovered as a result of approved operations under this lease, and shall not disturb such discoveries until directed to proceed by the SMA.</p>	South Dakota
CSU 12-55	<p><b>PALEONTOLOGICAL RESOURCE INVENTORY</b></p> <p>In areas known to have a high potential (Classes 3, 4, and 5) for containing significant paleontological resources, the lessee shall be required to conduct a paleontological inventory prior to any surface disturbance. The lessee must engage the services of a qualified paleontologist, acceptable to the Surface Management Agency (SMA), to conduct the inventory. An acceptable inventory report is to be submitted to the BLM for review and approval at the time of surface disturbing plan of operations is submitted.</p>	South Dakota
CSU 12-56	<p><b>VISUAL RESOURCE MANAGEMENT (VRM) CLASS II, III, AND IV AREAS</b></p> <p>Surface occupancy or use is subject to the following operating constraints.</p> <p>All surface disturbing activities and construction of semi-permanent and permanent facilities in VRM Class II, III, and IV areas may require special design including location, painting, and camouflage to blend with the natural surroundings and meet the visual quality objectives for each respective class.</p>	Billings
CSU 12-57	<p><b>TRAVEL MANAGEMENT</b></p> <p>Surface occupancy or use is subject to the following operating constraints.</p> <p>Oil and gas activities will comply with all motorized vehicle use and travel plan</p>	Billings

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	restrictions, including seasonal restrictions and areas closed to motorized travel.	
CSU 12-58	<p><b>BIGHORN SHEEP RANGE</b></p> <p>Surface occupancy and use is subject to the following operating constraints: Prior to surface occupancy and use a plan shall be prepared by the proponent as a component of the APD, Sundry Notice, etc., and approved by the AO in coordination with the state wildlife management agency. The operator shall not initiate surface disturbing activities unless the AO has approved the plan. The plan must demonstrate to the AO's satisfaction that the function and suitability of the habitat will not be impaired.</p>	Billings
CSU 12-59	<p><b>SOILS – SENSITIVE SOILS</b></p> <p>Surface occupancy and use will be controlled on sensitive soils. Sensitive soils are defined as those with severe wind and water erosion ratings. Prior to surface disturbance on sensitive soils, a reclamation plan must be approved by the administrative officer. The plan must demonstrate the following:</p> <ol style="list-style-type: none"> <li>1. No other practicable alternatives exist for relocating the activity;</li> <li>2. The activity will be located to reduce impacts to soil and water resources;</li> <li>3. Site productivity will be maintained or restored;</li> <li>4. Surface runoff and sedimentation will be adequately controlled;</li> <li>5. On- and off-site areas will be protected from accelerated erosion by wind or water; and</li> <li>6. Surface-disturbing activities will be prohibited during extended wet periods.</li> </ol>	Billings
CSU 12-60	<p><b>CULTURAL RESOURCE SURVEY</b></p> <p>An inventory of those portions of the leased lands subject to proposed disturbance may be required prior to any surface disturbance to determine if cultural resources are present and to identify needed mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator shall:</p> <ol style="list-style-type: none"> <li>1. Engage the services of a cultural resource consultant acceptable to the Surface Management Agency (SMA) to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the standard ten-acre minimum to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the SMA for review and approval no later than that time when an otherwise complete application for approval of drilling or subsequent surface-disturbing operation is submitted.</li> <li>2. Implement mitigation measures required by the SMA. Mitigation may include the relocation of proposed lease-related activities or other protective measures such as data recovery and extensive recordation. Where impacts to cultural resources cannot be mitigated to the satisfaction of the SMA, surface occupancy on that area must be prohibited. The lessee or operator shall immediately bring to the attention of the SMA any cultural resources discovered as a result of approved operations under this lease, and shall not disturb such discoveries until directed to proceed by the SMA.</li> </ol>	Havre
CSU 12-61	<p><b>PALEONTOLOGICAL RESOURCE INVENTORY</b></p> <p>Prior to any surface-disturbing activity in areas known to have a high potential (Class 4 and 5) for containing significant paleontological resources, the lessee shall be required to conduct a paleontological inventory. The lessee must engage the services of a qualified paleontologist, acceptable to the surface management agency (SMA), to conduct the inventory. An acceptable inventory report is to be submitted to the SMA for review and approval at the time a surface-disturbing plan of operations is submitted.</p>	Havre
CSU 12-62	<p><b>SOILS – SENSITIVE SOILS</b></p> <p>Surface occupancy and use will be controlled on sensitive soils. Sensitive soils are determined using a combination of slope and soil erodibility. Prior to surface disturbance on sensitive soils, a reclamation plan must be approved by the AO. The plan must demonstrate the following: (1) no other practicable alternatives exist for relocating the activity, (2) the activity will be located to reduce impacts to soil and water resources,</p>	Havre

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	(3) site productivity will be maintained or restored, (4) surface runoff and sedimentation will be adequately controlled, (5) on- and off-site areas will be protected from accelerated erosion, (6) that no areas susceptible to mass wasting would be disturbed and (7) surface-disturbing activities will be prohibited during extended wet periods.	
<b>CSU 12-63</b>	<b>MALTA GEOLOGICAL ACEC</b> Prior to any surface-disturbing activity in the Malta Geological ACEC the lessee shall be required to conduct a paleontological inventory. The lessee must engage the services of a qualified paleontologist, acceptable to the surface management agency (SMA), to conduct the inventory. An acceptable inventory report is to be submitted to the SMA for review and approval at the time a surface-disturbing plan of operations is submitted.	Havre
<b>CSU 12-64</b>	<b>VISUAL RESOURCES</b> In order to retain the existing character of the landscape (VRM Class II Objective), oil and gas development activities will be located, designed, constructed, operated, and reclaimed so that activities should not attract attention to the casual observer within 2 years from initiation of construction. This stipulation does not apply to the operation and maintenance activities.	Havre
<b>CSU 12-65</b>	<b>BIGHORN SHEEP RANGE</b> Prior to surface-disturbing or disruptive activities a plan to maintain bighorn sheep habitat will be prepared by the proponent and implemented upon approval by the authorized officer. This plan shall address how short-term and long-term direct and indirect effects to bighorn sheep range will be mitigated based on current science and research (Appendix E.5).	Havre
<b>CSU 12-66</b>	<b>CRUCIAL WINTER RANGE – BIG GAME AND/OR SAGE-GROUSE</b> Prior to surface-disturbing or disruptive activities a plan to maintain functionality of crucial winter range for big game and/or Greater Sage-Grouse will be prepared by the proponent and implemented upon approval by the authorized officer. Within crucial winter range surface-disturbing or disruptive activities will be restricted or prohibited within 6/10 of a mile from any existing surface-disturbing or disruptive activity. The plan shall address how short-term and long-term direct and indirect effects to crucial winter range will be mitigated based on current science and research (Appendix E.5).	Havre
<b>CSU 12-67</b>	<b>GREATER SAGE-GROUSE NESTING HABITAT (GENERAL HABITAT MANAGEMENT AREAS)</b> Within Greater Sage-Grouse general habitat surface-disturbing or disruptive activities may be restricted or prohibited within 2 miles of Greater Sage-Grouse leks. Prior to surface-disturbing or disruptive activities a plan to maintain functionality of Greater Sage-Grouse habitat will be prepared by the proponent and implemented upon approval by the authorized officer. This plan shall address how short-term and long-term direct and indirect effects to nesting and brood-rearing areas will be mitigated based on current science and research (Appendix E.5).	Havre
<b>CSU 12-68</b>	<b>PALLID STURGEON</b> Prior to surface-disturbing or disruptive activities occurring in or within 1/2 mile of river or stream shorelines identified as pallid sturgeon habitat, a plan to maintain pallid sturgeon habitat would be prepared by the proponent and implemented upon approval by the authorized officer.	Havre
<b>LEASE NOTICE (LN)</b>		
<b>LN 14-1</b>	<b>LAND USE AUTHORIZATION</b> Land Use Authorizations incorporate specific surface land uses allowed on Bureau of Land Management (BLM) administered lands by authorized officers and those surface uses acquired by the 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 the 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	Butte Dillon Glasgow Lewistown Malta North Dakota

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	<p>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 the BLM's automated database (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.</p> <p>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.</p>	
LN 14-2	<p><b>CULTURAL RESOURCES</b></p> <p>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.</p> <p>This notice would be consistent with the present Montana State Office guidance for cultural resource protection related to oil and gas operations (NTL-MSO-85-1).</p>	Butte Dillon Glasgow Lewistown Malta North Dakota
LN 14-3	<p><b>PALEONTOLOGICAL RESOURCES</b></p> <p>The lessee or operator shall immediately bring to the attention of the Surface Management Agency (SMA) any paleontological resources or any other objects of scientific interest discovered as a result of approved operations under this lease, and shall leave such discoveries intact and undisturbed until directed to proceed by the SMA.</p>	Butte Dillon Glasgow Lewistown Malta North Dakota
LN 14-4	<p><b>CEMETERY</b></p> <p>Portions of the lands in this parcel are occupied by a cemetery. As per the Standard Stipulation (May 2001) attached to this lease, occupancy will be excluded from the cemetery and a 300 foot buffer zone around the cemetery.</p>	Glasgow Lewistown Malta North Dakota
LN 14-5	<p><b>CULTURAL AND PALEONTOLOGICAL RESOURCES</b></p> <p>An inventory of the lease lands may be required prior to surface disturbance to determine if cultural resources are present and to identify needed mitigation measures. Prior to undertaking any surface disturbing activities on the lands covered by this lease, the lessee or operator shall:</p> <ol style="list-style-type: none"> <li>1. Contact the Surface Management Agency (SMA) to determine if a cultural resource inventory is required. If an inventory is required, then;</li> <li>2. The SMA will complete the required inventory; or the lessee or operator, at their option, may engage the services of a cultural resource consultant acceptable to the SMA to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the standard ten-acre minimum to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the SMA for review and approval no later than that time when an otherwise complete application for approval of drilling or subsequent surface disturbing operation is submitted.</li> <li>3. Implement mitigation measures required by the SMA. Mitigation may include the relocation of proposed lease related activities or other protective measure such as data recovery and extensive recordation. The lessee or operator shall immediately bring to the attention of the SMA any cultural resources or any other objects of scientific interest discovered as a result of approved operations under this lease, and shall leave such discoveries intact and undisturbed until directed to proceed by the SMA.</li> </ol> <p>Authorities: Compliance with Section 106 of the National Historic Preservation Act is required for all actions which may affect cultural properties eligible to the National Register of Historic Places. Section 6 of the Oil and Gas Lease Terms (Form 3100-11) requires that operations be conducted in a manner that minimizes adverse impacts to cultural and other resources.</p> <p><b>PALEONTOLOGICAL RESOURCES</b></p> <p>The lessee or operator shall immediately bring to the attention of the SMA any paleontological resources or any other objects of scientific interest discovered as a result of approved operations under this lease, and shall leave such discoveries intact and undisturbed until directed to proceed by the SMA.</p>	Butte Dillon Glasgow Lewistown Malta North Dakota

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
LN 14-10	<p><b>BLOCK MOUNTAIN AREA OF CRITICAL ENVIRONMENTAL CONCERN</b>            The lease area contains lands within the Block Mountain geologic area which has been designated an Area of Critical Environmental Concern (ACEC). As a result, special mitigation measures may be applied to any applications for permit to drill.</p>	Dillon
LN 14-11	<p><b>GREATER SAGE-GROUSE HABITAT</b>            The lease may, in part or in total, contain important greater sage grouse habitats as identified by the BLM, either currently or prospectively. The operator may be required to implement specific measures to reduce impacts of oil and gas operations on the greater sage grouse populations and habitat quality. Such measures shall be developed during the application for permit to drill on-site and environmental review process and will be consistent with the lease rights granted.</p>	Butte Dillon Glasgow Lewistown Malta North Dakota
LN 14-12	<p><b>PALEONTOLOGICAL RESOURCE INVENTORY REQUIREMENT</b>            This lease has been identified as being located within geologic units rated as being moderate to very high potential for containing significant paleontological resources. The locations meet the criteria for class 3, 4 and/or 5 as set forth in the Potential Fossil Yield Classification System, WO IM 2008-009, Attachment 2-2. The BLM is responsible for assuring that the leased lands are examined to determine if paleontological resources are present and to specify mitigation measures. Guidance for application of this requirement can be found in WO IM 2008-009 dated October 15, 2007, and WO IM 2009-011 dated October 10, 2008.</p> <p>Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or project proponent shall contact the BLM to determine if a paleontological resource inventory is required. If an inventory is required, the lessee or project proponent will complete the inventory subject to the following:</p> <ul style="list-style-type: none"> <li>• the project proponent must engage the services of a qualified paleontologist, acceptable to the BLM, to conduct the inventory.</li> <li>• the project proponent will, at a minimum, inventory a 10-acre area or larger to incorporate possible project relocation which may result from environmental or other resource considerations.</li> <li>• paleontological inventory may identify resources that may require mitigation to the satisfaction of the BLM as directed by WO IM 2009-011.</li> </ul>	Butte Dillon Glasgow Lewistown Malta North Dakota
LN 14-13	<p><b>GRASSLAND/WETLAND EASEMENT</b>            The lease parcel is encumbered with a U.S. Fish and Wildlife Wetland and/or Grassland Easement to restrict draining, burning, filling, or leveling of wetlands and/or protection of grassland depending on the specific easement. The operator may be required to implement specific measures to reduce the impacts of oil and gas operations on wetlands or grasslands on easements. Additional measures may be developed during the application for permit to drill during the on-site inspection, as well as the environmental review process, consistent with the lease rights granted and in accordance with 43 CFR 3101.1-2.</p>	Butte Dillon Glasgow Lewistown Malta North Dakota
LN 14-14	<p><b>CULTURAL VISUAL SETTING</b>            The lease is located adjacent to known historic properties that are or may be eligible for listing on the National Register of Historic Places (NRHP). The lease may in part or whole contribute to the importance of the historic properties and values, and listing on the NRHP. The operator may be required to implement specific measures to reduce impacts of oil and gas operations on historic properties and values. These measures may include, but are not limited to, project design, location, painting and camouflage. Such measures shall be developed during the on-site inspection and environmental review of the application for permit to drill (APD), and shall be consistent with lease rights.</p> <p>The goal of this Lease Notice is to provide information to the lessee and operator that would help design and locate oil and gas facilities to preserve the integrity and value of historical properties that are or may be listed on the National Register of Historic Places. This notice is consistent with the present Montana guidance for cultural resource protection related to oil and gas operations (NTL-MSO-85-1).</p>	North Dakota

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
LN 14-15	<p><b>SPRAGUE'S PIPIT</b></p> <p>The lease area may contain habitat for the federal candidate Sprague's pipit. The operator may be required to implement specific measures to reduce impacts of oil and gas operations on Sprague's pipits, their habitat and overall population. Such measures would be developed during the application for permit to drill and environmental review processes, consistent with lease rights.</p> <p>If the U.S. Fish and Wildlife Service lists the Sprague's pipit as threatened or endangered under the Endangered Species Act, the BLM would enter into formal consultation on proposed permits that may affect the Sprague's pipit and its habitat. Restrictions, modifications, or denial of permits could result from the consultation process.</p>	Glasgow Lewistown Malta North Dakota
LN 14-18	<p><b>AIR RESOURCE ANALYSIS</b></p> <p>The lessee/operator is given notice that prior to project-specific approval, additional air resource analyses may be required in order to comply with the NEPA, FLPMA, and/or other applicable laws and regulations. Analyses may include equipment and operations information, emission inventory development, dispersion modeling or photochemical grid modeling for air quality and/or air quality related value impact analysis, and/or emission control determinations. These analyses may result in the imposition of additional project-specific control measures to protect air resources.</p>	Miles City
LN 14-19	<p><b>SPECIAL STATUS SPECIES</b></p> <p>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 requirements of the ESA as amended, 16 U.S.C. § et seq., including completion of any required procedure for conference or consultation.</p>	Billings Miles City
LN 14-20	<p><b>MIGRATORY BIRD TREATY ACT</b></p> <p>The Operator is responsible for compliance with provisions of the Act by implementing one of the following measures; a) avoidance by timing; ground disturbing activities will not occur from April 15 to July 15, b) habitat manipulation; render proposed project footprints unsuitable for nesting prior to the arrival of migratory birds (blading or pre-clearing of vegetation must occur prior to April 15 within the year and area scheduled for activities between April 15 and July 15 of that year to deter nesting, or c) survey-buffer-monitor; surveys will be conducted by a BLM approved biologist within the area of the proposed action and a 300 foot buffer from the proposed project footprint between April 15 to July 15 if activities are proposed within this timeframe. If nesting birds are found, activities would not be allowed within 0.1 miles of nests until after the birds have fledged. If active nests are not found, construction activities must occur within 7 days of the survey. If this does not occur, new surveys must be conducted. Survey reports will be submitted to the appropriate BLM Office.</p>	Billings Miles City
LN 14-21	<p><b>BLACK-FOOTED FERRET SURVEYS</b></p> <p>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 presence or absence 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. The lessee or operator may, at their own option, conduct an examination to determine the presence or absence of black-footed ferrets. This examination must be done by or under the supervision of a qualified resource specialist approved by the surface management agency. An acceptable report must be provided to the surface management agency 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.</p>	Billings Miles City

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
LN 14-22	<p><b>CULTURAL RESOURCES SETTING CONSIDERATION ZONES</b></p> <p>This lease is known to contain historic properties or resources protected under NHPA that contain a Setting Consideration Zone where the integrity of the setting is known to be an important contributing element of NRHP significance of the property, and applies to the following historic properties: Wolf Mountains Battlefield NHL and Battle Butte Battlefield ACEC; Reynolds Battlefield site and Reynolds Battlefield ACEC; Cedar Creek Battlefield site and Cedar Creek Battlefield ACEC; and the Long Medicine Wheel ACEC, and all significant Cultural Resources, NRHP-eligible Properties and Districts, and TCPs, NHLs and Historic Battlefields and the Lewis and Clark National Historic Trail.</p>	Miles City
LN 14-23	<p><b>SETBACK FROM HUMAN OCCUPIED RESIDENCES REQUIREMENT</b></p> <p>The lease area may contain human occupied residences. Under Regulation 43 CFR 3101.1-2 and terms of the lease (BLM Form 3100-11), the authorized officer may require reasonable measures to minimize adverse impacts to other resource values, land uses, and users not addressed in lease stipulations at the time operations are proposed. Such reasonable measures may include, but are not limited to, modification of siting or design of facilities, which may require relocating proposed operations up to 200 meters, but not off the leasehold.</p> <p>The setback requirement of 500 feet from human occupied residences has been established based upon the best information available. The following condition of approval may be applied as a result of the Application for Permit to Drill (APD) process during the on-site inspection and the environmental review unless an acceptable plan for mitigation of impacts is reached between the resident, lessee and BLM:</p> <ul style="list-style-type: none"> <li>• <b>Facilities will not be allowed within 500 feet of human occupied residences.</b></li> </ul> <p>The intent of this Lease Notice is to provide information to the lessee that would help design and locate oil and gas facilities to preserve the aesthetic qualities around human occupied residences.</p>	Miles City
LN 14-24	<p><b>CULTURAL RESOURCES AND TRIBAL CONSULTATION</b></p> <p>This lease may be found to contain historic properties or resources protected under NHPA, the American Indian Religious Freedom Act (42 U.S.C. 1996), Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), Executive Order 13007 (May 24, 1996), or other statutes and executive orders. The BLM will not approve any ground-disturbing activities that may affect any such properties or resources until it completes its obligations (e.g., state historic preservation officer and tribal consultation) under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized, or mitigated.</p>	Havre Miles City South Dakota
LN 14-25	<p><b>CULTURAL RESOURCES</b></p> <p>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 present Montana guidance for cultural resource protection related to oil and gas operations (NTL-MSO-85-1).</p>	Miles City
LN 14-26	<p><b>PALEONTOLOGICAL RESOURCES</b></p> <p>The lease area contains lands within the Block Mountain geologic area which has been designated an Area of Critical Environmental Concern (ACEC). As a result, special mitigation measures may be applied to any applications for permit to drill.</p>	Miles City
LN 14-27	<p><b>SPRAGUE'S PIPIT HABITAT</b></p> <p>The lease area may contain habitat for the federal candidate Sprague's pipit. The operator may be required to implement specific measures to reduce impacts of oil and gas operations on Sprague's pipits, their habitat and overall population. Such measures would be developed during the APD and environmental review processes, consistent with lease rights.</p> <p>If the USFWS lists the Sprague's pipit as threatened or endangered under the ESA, the BLM would enter into formal consultation on proposed permits that may affect the</p>	Miles City

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	Sprague's pipit and its habitat. Restrictions, modifications, or denial of permits could result from the consultation process.	
LN 14-28	<p><b>LAND USE AUTHORIZATIONS</b></p> <p>Land Use Authorizations incorporate specific surface land uses allowed on Bureau of Land Management (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.</p> <p>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.</p> <p>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.</p> <p>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</p>	Billings Miles City
LN 14-29	<p><b>PALEONTOLOGICAL RESOURCES</b></p> <p>The lessee or operator shall immediately bring to the attention of the Surface Management Agency (SMA) any paleontological resources or any other objects of scientific interest discovered as a result of approved operations under this lease, and shall leave such discoveries intact and undisturbed until directed to proceed by the SMA.</p>	Miles City
LN 14-30	<p><b>PALEONTOLOGICAL RESOURCES INVENTORY REQUIREMENT</b></p> <p>This lease has been identified as being located within geologic units rated as being moderate to very high potential for containing significant paleontological resources. The locations meet the criteria for class 3, 4 and/or 5 as set forth in the Potential Fossil Yield Classification System, WO IM 2008-009, Attachment 2-2. The BLM is responsible for assuring that the leased lands are examined to determine if paleontological resources are present and to specify mitigation measures. Guidance for application of this requirement can be found in WO IM 2008-009 dated October 15, 2007, and WO IM 2009-011 dated October 10, 2008.</p> <p>Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or project proponent shall contact the BLM to determine if a paleontological resource inventory is required. If an inventory is required, the lessee or project proponent will complete the inventory subject to the following:</p> <ul style="list-style-type: none"> <li>• the project proponent must engage the services of a qualified paleontologist, acceptable to the BLM, to conduct the inventory.</li> <li>• the project proponent will, at a minimum, inventory a 10-acre area or larger to incorporate possible project relocation which may result from environmental or other resource considerations.</li> <li>• paleontological inventory may identify resources that may require mitigation to the satisfaction of the BLM as directed by WO IM 2009-011.</li> </ul>	Billings Miles City
LN 14-31	<p><b>SPRAGUE'S PIPIT HABITAT</b></p> <p>A lease notice will be attached to all leases in documented or potential habitat* for Sprague's Pipit. The lease notice will notify the lease holder that mitigation and conservation actions may be required including a limit on exploration and development from April 15 to July 15. *Currently habitat is present but not well identified in western South Dakota.</p>	South Dakota

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
LN 14-32	<p><b>LAKE MASON NWR</b>            Surface occupancy and use is subject to the following operating constraints:            Cultural sites are located in the _____, Section ____ T. ____, R. _____. This parcel is located adjacent to the Lake Mason National Wildlife Refuge.            In accordance with 43 CFR 3101.1-2, additional mitigation may be required in regard to exploration and development.</p>	Billings
LN 14-33	<p><b>CULTURAL INVENTORY REQUIREMENT</b>            An inventory of those portions of the leased lands subject to proposed disturbance may be required prior to any surface disturbance to determine whether cultural resources are present and to identify needed mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator shall:</p> <ol style="list-style-type: none"> <li>1. Contact the Surface Management Agency (SMA) to determine whether a cultural resource inventory is required. If an inventory is required, then:</li> <li>2. The SMA will complete the required inventory; or the lessee or operator, at their option may engage the services of a cultural resource consultant acceptable to the SMA to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the standard ten-acre minimum to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the SMA for review and approval no later than that time when an otherwise complete application for approval of drilling or subsequent surface-disturbing operation is submitted.</li> <li>3. Implement mitigation measures required by the SMA. Mitigation may include the relocation of proposed lease-related activities or other protective measures such as data recovery and extensive recordation. Where impacts to cultural resources cannot be mitigated to the satisfaction of the SMA, surface occupancy on that area must be prohibited. The lessee or operator shall immediately bring to the attention of the SMA any cultural resources discovered as a result of approved operations under this lease, and shall not disturb such discoveries until directed to proceed by the SMA.</li> </ol>	Billings
LN 14-34	<p><b>SACRED SITES AND HISTORIC PROPERTIES</b>            Lease is located adjacent to known sacred sites and Historic Properties, and contains high potential for National Register eligible historic and cultural properties. Lessees are notified that archaeological resource inventory and mitigation costs may be high within this area. A cultural plan of operations will be developed in consultation with the Billings Field Office and must be approved before field development takes place. All surface use plans will be presented to the Billings Field Office archaeologist for review.</p>	Billings
LN 14-35	<p><b>SETBACK FROM HUMAN OCCUPIED DWELLINGS REQUIREMENT</b>            The Lease area may contain human occupied dwellings. Under Regulation 43 CFR 3101.1-2 and terms of the lease (BLM form 3100-11), the authorized officer may require reasonable measures to minimize adverse impacts to other resource values, land uses, and users not addressed in lease stipulations at the time operations are proposed. Such reasonable measures may include, but are not limited to modification of siting or design of facilities, which may require relocating proposed operations up to 200 meters, but not off the leasehold.            The setback requirement of 500 feet from human occupied dwellings has been established based upon the best information available. The following condition of approval may be applied as a result of the Application for Permit to Drill (APD) process during the on-site inspection and the environmental review unless an acceptable plan for mitigation of impacts is reached between the resident, lessee, and BLM:</p> <ul style="list-style-type: none"> <li>• Facilities will not be allowed within 500 feet of human occupied residences.</li> </ul> <p>The intent of this Lease Notice is to provide information to the lessee that would help design and locate oil and gas facilities to preserve the aesthetic qualities around human occupied dwellings.</p>	Billings
<b>DRAINAGE STIPULATION</b>		
MT 15-1	<p><b>DRAINAGE</b>            All of the lands contained in this lease are subject to drainage by a well located adjacent</p>	All Field Offices

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	to the lease. The lessee shall, within 60 days of lease issuance, notify the field office of its plans to protect the lease from drainage or alternatively demonstrate to the authorized officer that a protective well would have little or no chance of producing in paying quantities.	
	<b>NO SURFACE OCCUPANCY STIPULATION (NSO)</b>	
NSO 11-2	<b>RIPARIAN, FLOOD PLAINS, RIVERS, STREAMS AND WATER BODIES</b> No surface occupancy or use is allowed within riparian areas, 100-year flood plains of major rivers, and on water bodies and streams.	Butte Dillon
NSO 11-4	<b>GROUSE LEKS</b> No surface occupancy or use is allowed within one-quarter mile of grouse leks.	Butte Dillon
NSO 11-6	<b>BALD EAGLE NEST SITES</b> No surface occupancy or use is allowed within one-half mile of known bald eagle nest sites which have been active within the past seven years and within bald eagle nesting habitat in riparian areas.	Dillon
NSO 11-7	<b>PEREGRINE FALCON NEST SITES</b> No surface occupancy or use is allowed within one mile of identified peregrine falcon nesting sites.	Butte Dillon
NSO 11-12	<b>KNOWN PALEONTOLOGICAL SITES</b> No surface occupancy or use is allowed within known paleontological sites.	Dillon
NSO 11-13	<b>RECREATION AREAS</b> No surface occupancy or use is allowed within developed recreation areas and undeveloped recreation areas receiving concentrated public use.	Dillon
NSO 11-15	<b>STATE GAME RANGES</b> No surface occupancy or use is allowed within the boundary of State Game Ranges administered by the Montana Fish, Wildlife and Parks (FWP).	Butte Dillon
NSO 11-16	<b>NORTH AMERICAN WETLAND CONSERVATION ACT/INTERMOUNTAIN JOINT VENTURE</b> No surface occupancy or use is allowed within one-half mile of North American Wetland Conservation Act/Intermountain Joint Venture (NAWCA/IMWJV) wetland projects.	Dillon
NSO 11-17	<b>FERRUGINOUS HAWK NEST SITES</b> No surface occupancy or use is allowed within one-half mile of ferruginous hawk nest sites.	Dillon North Dakota
NSO 11-18	<b>WESTSLOPE CUTTHROAT TROUT</b> No surface occupancy or use is allowed within one-half mile from centerline of stream containing known populations of 99 – 100% genetically pure Westslope Cutthroat trout.	Butte Dillon
NSO 11-19	<b>FLUVIAL AND ADFLUVIAL ARCTIC GRAYLING HABITAT</b> No surface occupancy or use is allowed within one-half mile from centerline of occupied or influencing habitat for fluvial and adfluvial arctic grayling, including the North Fork of the Big Hole River, the Big Hole, the Beaverhead and Ruby Rivers, and tributaries to Upper Red Rock Lake.	Butte Dillon
NSO 11-20	<b>BLUE RIBBON TROUT STREAM</b> No surface occupancy or use is allowed within one-half mile from the centerline of Class 1 fishery streams (Blue Ribbon trout streams).	Butte Dillon
NSO 11-21	<b>DEVELOPED RECREATION SITES</b> No surface occupancy or use is allowed within one-half mile of developed recreation sites.	Dillon
NSO 11-22	<b>CULTURAL PROPERTIES, ARCHAEOLOGICAL/HISTORIC DISTRICTS – NATIONAL REGISTER OF HISTORIC PLACES (NRHP)</b> No surface occupancy or use is allowed within, and for a distance of 300 feet from the boundaries of cultural properties and archaeological/historic districts determined to be eligible or potentially eligible to the National Register of Historic Places. This includes cultural properties designated for conservation use, scientific use, traditional use, public use and experimental use.	Dillon
NSO 11-23	<b>CULTURAL PROPERTIES</b> No surface occupancy or use is allowed within one-half mile of the boundaries of	Butte Dillon

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	cultural properties determined to be of particular importance to Native American groups, determined to be traditional cultural properties, and/or designated for traditional use. Such properties include (but are not limited to) burial locations, plant gathering locations and areas considered sacred or used for religious purposes.	
NSO 11-24	<b>SPECIAL STATUS PLANTS</b> No surface occupancy or use is allowed within one-quarter mile of special status plants or populations.	Butte Dillon
NSO 11-25	<b>LANDSLIDES</b> No surface occupancy or use is allowed on areas of active mass movement (landslides).	Dillon
NSO 11-26	<b>NATIONAL HISTORIC TRAILS</b> No surface occupancy or use is allowed within one-half mile of designated National Historic Trails.	Butte Dillon
NSO 11-27	<b>CONTINENTAL DIVIDE NATIONAL SCENIC TRAIL</b> No surface occupancy or use is allowed within one-half mile of the Continental Divide National Scenic Trail.	Butte Dillon
NSO 11-28	<b>PATENTED, LEASED, PERMITTED LANDS</b> No surface occupancy or use is allowed on recreation and public purposes leases and patents and on leases and permits authorized under regulations found at 43 CFR 2920.	Butte Dillon
NSO 11-29	<b>AREAS OF CRITICAL ENVIRONMENTAL CONCERN (ACECs)</b> No surface occupancy or use is allowed within the Beaverhead Rock, Muddy-Big Sheep Creek and Everson Creek Areas of Critical Environmental Concern.	Dillon
NSO 11-30	<b>CENTENNIAL SANDHILLS ACEC</b> No surface occupancy or use is allowed within the Centennial Sandhills Area of Critical Environmental Concern (ACEC) and within one mile of special status plants that are contained within the Centennial Sandhills ACEC.	Dillon
NSO 11-33	<b>WETLANDS, LAKES, AND PONDS</b> No surface occupancy or use is allowed within 200 feet of wetlands, lakes and ponds.	North Dakota
NSO 11-34	<b>PRAIRIE FALCON NESTS</b> No surface occupancy or use is allowed within one-half mile of Prairie Falcon nests known to have been occupied at least once within the seven previous years.	North Dakota
NSO 11-35	<b>SAGE GROUSE STRUTTING GROUNDS</b> No surface occupancy or use is allowed within one-quarter mile of active sage grouse strutting grounds.	North Dakota
NSO 11-36	<b>YELLOWSTONE RIVER FLOODPLAIN</b> No surface occupancy or use is allowed in the floodplain of the Yellowstone River.	North Dakota
NSO 11-38	<b>GOLDEN EAGLE NESTS</b> No surface occupancy or use is allowed within one-half mile of Golden Eagle nests known to have been occupied at least once within the seven previous years.	North Dakota
NSO 11-39	<b>MISSOURI RIVER FLOODPLAIN</b> No surface occupancy or use is allowed on lands within the floodplain of the Missouri River.	North Dakota
NSO 11-40	<b>FORT UNION HISTORIC SITE</b> No surface occupancy or use is allowed in a visible area within a 3.5 mile radius of the Fort Union Historic Site.	North Dakota
NSO 11-42	<b>BIGHORN SHEEP CORE AREAS</b> No surface occupancy or use is allowed within the Bighorn Sheep core areas.	Butte
NSO 11-43	<b>DEVELOPED RECREATION SITES</b> No surface occupancy or use is allowed within one-quarter mile of developed recreation sites, regardless of administering agency.	Butte
NSO 11-44	<b>BALD EAGLE NEST SITES</b> No surface occupancy or use is allowed within one-half mile of Bald Eagle nest sites and within Bald Eagle nesting habitat in riparian areas.	Butte Dillon
NSO 11-45	<b>RECOVERY ZONE FOR GRIZZLY BEARS</b> No surface occupancy or use is allowed within the boundary of the Recovery Zone for Grizzly Bears.	Butte

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
NSO 11-46	<b>PRAIRIE DOG TOWN</b> No surface occupancy or use is allowed within the boundary of any Prairie Dog town.	Butte
NSO 11-47	<b>BULL TROUT</b> No surface occupancy or use is allowed within one-half mile from centerline of streams containing known populations of Bull Trout.	Butte
NSO 11-48	<b>YELLOWSTONE CUTTHROAT TROUT</b> No surface occupancy or use is allowed within one-half mile from centerline of streams containing known populations of 90-100% genetically pure Yellowstone Cutthroat Trout.	Butte
NSO 11-49	<b>HIGH RESTORATION POTENTIAL STREAMS</b> No surface occupancy or use is allowed within one-half mile from centerline of streams that are identified by the BLM as having high restoration potential for Westslope Cutthroat Trout, Yellowstone Cutthroat Trout, Arctic Grayling and/or Bull Trout.	Butte
NSO 11-50	<b>MUNICIPAL WATERSHEDS</b> No surface occupancy or use is allowed in the following municipal watersheds: Missouri River Siphon, Tenmile Creek Drainage, Big Hole River Intake, and Moulton Reservoir.	Butte
NSO 11-51	<b>WESTSLOPE CUTTHROAT TROUT</b> No surface occupancy or use is allowed within one-half mile from centerline of stream containing known populations of 90-99% genetically pure Westslope Cutthroat Trout.	Butte
NSO 11-52	<b>NATIONAL REGISTER HISTORIC PLACES (NRHP)</b> No surface occupancy or use is allowed within 300 feet of site boundaries and/or districts eligible for, or listed on, the National Register of Historic Places.	Butte
NSO 11-53	<b>ACTIVE RIVER CHANNEL</b> No surface occupancy or use is allowed within one-half mile either side of the active river channel. This would apply to the following river segment lengths: 3.1 miles of the Upper Missouri River and 2.6 miles of Muskrat Creek.	Butte
NSO 11-54	<b>FERRUGINOUS HAWK NEST SITES</b> No surface occupancy or use is allowed within one-half mile of Ferruginous Hawk nest sites which have been active within the past five years.	Butte
NSO 11-55	<b>LAND AND WATER CONSERVATION FUNDS</b> No surface occupancy or use is allowed on lands acquired with Land and Water Conservation Funds.	Butte
NSO 11-59	<b>U.S. FISH AND WILDLIFE SERVICE LANDS</b> No surface occupancy or use is allowed on lands administered by the U.S. Fish and Wildlife Service.	North Dakota
NSO 11-62	<b>MAKOSHIKA STATE PARK</b> Surface occupancy and use is prohibited within Makoshika State Park.	Miles City
NSO 11-63	<b>COAL</b> Surface occupancy and use is prohibited within existing coal leases with approved mining plans.	Billings Miles City
NSO 11-64	<b>VISUAL RESOURCE MANAGEMENT (VRM) CLASS I</b> Surface occupancy and use is prohibited in VRM Class I areas (for example, wild and scenic rivers or WSAs).	Miles City
NSO 11-65	<b>CULTURAL AREAS OF CRITICAL ENVIRONMENTAL CONCERN (ACEC)</b> Surface occupancy and use is prohibited within designated ACECs, including the Big Sheep Mountain, Hoe, Jordan Bison Kill, Powder River Depot, and Seline cultural ACECs.	Miles City
NSO 11-66	<b>PALEONTOLOGICAL ACECs</b> Surface occupancy and use is prohibited within designated paleontological localities (including the Ash Creek Divide, Hell Creek, Sand Arroyo, and Bug Creek ACECs).	Miles City
NSO 11-67	<b>FINGER BUTTES ACEC</b> Surface occupancy and use is prohibited in the Finger Buttes ACEC.	Miles City
NSO 11-68	<b>SMOKY BUTTE ACEC</b> Surface occupancy and use is prohibited in the Smoky Butte area.	Miles City

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
NSO 11-69	<b>BADLANDS, ROCK OUTCROP</b> Surface occupancy and use is prohibited on badlands and rock outcrop.	Billings Havre Miles City South Dakota
NSO 11-70	<b>STREAMS, WATERBODIES, RIPARIAN, WETLAND, AND FLOODPLAINS</b> Surface occupancy and use is prohibited within perennial or intermittent streams, lakes, ponds, reservoirs, 100-year floodplains, wetlands, and riparian areas.	Havre Miles City South Dakota
NSO 11-71	<b>SOURCE WATER PROTECTION AREAS</b> Surface occupancy and use is prohibited within State-designated Source Water Protection Areas.	Billings Havre Miles City South Dakota
NSO 11-72	<b>COLONIAL NESTING WATERBIRDS</b> Surface occupancy and use is prohibited within 0.25 mile of waterbird nesting colonies.	Billings Miles City
NSO 11-73	<b>RAPTORS</b> Surface occupancy and use is prohibited within 0.25 mile of raptor nest sites active within the preceding 7 years.	Billings Miles City
NSO 11-74	<b>BALD EAGLES</b> Surface occupancy and use is prohibited within 0.50 mile of bald eagle nest sites active within the preceding 5 years.	Miles City
NSO 11-75	<b>PIPING PLOVER</b> Surface occupancy and use is prohibited in and within 0.25 mile of piping plover habitat.	Miles City
NSO 11-76	<b>INTERIOR LEAST TERN</b> Surface occupancy and use is prohibited in and within 0.25 mile of interior least tern habitat.	Billings Miles City
NSO 11-77	<b>BLACK-FOOTED FERRETS</b> Surface occupancy and use is prohibited within 0.25 mile of black-footed ferret habitat (complex of prairie dog towns within 1.5 km of each other comprising a total of at least 1,500 acres).	Miles City
NSO 11-78	<b>PALLID STURGEON HABITAT</b> Surface occupancy and use is prohibited within 0.25 mile of the water's edge of the Missouri and Yellowstone Rivers.	Miles City
NSO 11-79	<b>SAGE-GROUSE HABITAT – PRIORITY AREAS, WEST DECKER RESTORATION AREA, SOUTH CARTER RESTORATION AREA</b> Surface occupancy and use is prohibited within sage-grouse priority areas, West Decker Restoration area, and South Carter Restoration Area.	Miles City
NSO 11-80	<b>SAGE-GROUSE HABITAT – GENERAL HABITAT MANAGEMENT AREA</b> Surface occupancy and use is prohibited within 6/10 mile of the perimeter of sage-grouse leks.	Miles City
NSO 11-81	<b>RECREATION</b> Surface occupancy and use is prohibited within developed recreation areas and undeveloped recreation areas receiving concentrated public use.	Miles City
NSO 11-82	<b>LANDS WITH WILDERNESS CHARACTERISTICS</b> Surface occupancy and use is prohibited within areas that are managed to protect wilderness characteristics.	Havre Miles City
NSO 11-83	<b>NATIONAL HISTORIC TRAILS</b> Surface occupancy and use is prohibited within the National Trail Management Corridor of designated National Historic Trails. Designated National Historic Trails include the Lewis and Clark Trail and the Nez Perce Trail.	Havre Miles City
NSO 11-84	<b>SIGNIFICANT CULTURAL RESOURCES, NRHP – ELIGIBLE PROPERTIES AND DISTRICTS, AND TCPs</b> Surface occupancy and use is prohibited in the site or within the area surrounding the site where an undertaking's area of potential effect (APE) could have a potential effect on the site's setting in: <ul style="list-style-type: none"> <li>○ sites or areas designated or sites or areas that meet the criteria for allocation for designation for scientific use, conservation use,</li> </ul>	Miles City

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	<ul style="list-style-type: none"> <li>○ traditional use (socio-cultural use), public use, and experimental use;</li> <li>○ the boundaries of sites or districts eligible for or included on the NRHP; and</li> <li>○ the boundaries of TCPs, or sites or areas designated as such, or sites or areas that meet the criteria for allocation for designation for traditional use (socio-cultural use).</li> </ul> <p>Activity is prohibited in cultural properties determined to be of particular importance to American Indian groups, TCPs, or sites designated for traditional use. (Such properties include, but are not limited to, burial locations, pictograph and petroglyph sites, vision quest locations, plant-gathering locations, and areas considered sacred or used for religious purposes.)</p>	
NSO 11-85	<p><b>PALEONTOLOGICAL RESOURCES</b> Surface occupancy and use is prohibited in significant paleontological localities.</p>	Miles City
NSO 11-86	<p><b>CULTURAL ACECs</b> Surface occupancy and use is prohibited within sites or areas designated for scientific use, conservation use, public use, or socio-cultural use.</p>	Miles City
NSO 11-87	<p><b>PALEONTOLOGICAL ACECs</b> Surface occupancy and use is prohibited within significant paleontological localities, such as the Flat Creek, and Powderville ACECs (and the paleontological component of the Long Medicine Wheel and Walstein ACECs).</p>	Miles City
NSO 11-88	<p><b>NATIONAL HISTORIC LANDMARKS (NHLs) AND HISTORIC BATTLEFIELDS AND THE LEWIS AND CLARK NATIONAL HISTORIC TRAIL</b> Surface occupancy and use and surface disturbance is prohibited within NHLs and Historic Battlefield including the following historic properties: Wolf Mountains Battlefield NHL and Battle Butte Battlefield ACEC; Reynolds Battlefield site and Reynolds Battlefield ACEC; Cedar Creek Battlefield site and Cedar Creek Battlefield ACEC; and the Long Medicine Wheel ACEC, and all significant Cultural Resources, NRHP-eligible Properties and Districts, and TCPs, NHLs and Historic Battlefields and the Lewis and Clark National Historic Trail.</p>	Miles City
NSO 11-89	<p><b>NATIONAL HISTORIC LANDMARKS (NHLs) AND HISTORIC BATTLEFIELDS AND THE LEWIS AND CLARK NATIONAL HISTORIC TRAIL</b> Surface occupancy and use and surface disturbance is prohibited within the visible area also called the Setting Consideration Zone where the integrity of the setting is a contributing element of NRHP significance of a property, for NHLs and Historic Battlefields including the following historic properties: Wolf Mountains Battlefield NHL and Battle Butte Battlefield ACEC; Reynolds Battlefield site and Reynolds Battlefield ACEC; Cedar Creek Battlefield site and Cedar Creek Battlefield ACEC; and the Long Medicine Wheel ACEC, and all significant Cultural Resources, NRHP-eligible Properties and Districts, and TCPs, NHLs and Historic Battlefields and the Lewis and Clark National Historic Trail.</p>	Miles City
NSO 11-90	<p><b>RAPTOR NEST SITES NOT DEFINED AS SPECIAL STATUS RAPTORS THAT WERE ACTIVE WITHIN THE LAST 7 YEARS</b> Surface occupancy and use is prohibited within 0.25 mile of raptor nest sites active within the last 7 years.</p>	South Dakota
NSO 11-91	<p><b>BIGHORN SHEEP RANGE</b> Surface occupancy and use will not be allowed in occupied or SDGFP proposed bighorn sheep range.</p>	South Dakota
NSO 11-92	<p><b>COLONIAL NESTING WATERBIRDS</b> Surface occupancy and use is prohibited within 0.25 mile of waterbird nesting colonies.</p>	South Dakota
NSO 11-93	<p><b>BALD EAGLE NESTS</b> Surface occupancy and use is prohibited within 0.50 mile of bald eagle nest sites active within the preceding 5 years.</p>	South Dakota

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
NSO 11-94	<b>PEREGRINE FALCON NESTS</b> No surface occupancy or use within 1 mile of peregrine nesting sites active within the preceding 7 breeding seasons.	South Dakota
NSO 11-95	<b>GOLDEN EAGLE, BURROWING OWL, FERRUGINOUS HAWK, SWAINSON'S HAWK, OSPREY, PRAIRIE FALCON, AND NORTHERN GOSHAWK (DOES NOT INCLUDE PEREGRINE FALCON OR BALD EAGLE)</b> No surface occupancy or use within 0.25 mile of special status raptor nests.	South Dakota
NSO 11-96	<b>GREATER SAGE-GROUSE GENERAL HABITAT LEKS</b> No surface occupancy or use within 6/10 mile from leks.	South Dakota
NSO 11-97	<b>GREATER SAGE-GROUSE CRUCIAL WINTER RANGE</b> Sage-grouse crucial winter range will be managed as a No Surface Occupancy for oil and gas development and exploration.	South Dakota
NSO 11-98	<b>GREATER SAGE-GROUSE PRIORITY HABITAT MANAGEMENT AREAS (PHMAs)</b> Greater Sage-Grouse PHMAs will be managed as No Surface Occupancy and Use (127,735 surface and 412,822 oil and gas subsurface mineral acres.) These areas will be open to oil and gas leasing with no surface occupancy7 stipulation. All sage-grouse habitat that is not part of PHMAs will be managed as GHMA as noted in Figure 1-2.	South Dakota
NSO 11-99	<b>GREATER SAGE-GROUSE WINTER RANGE IN PRIORITY HABITAT MANAGEMENT AREAS (PHMAs)</b> Sage-grouse crucial winter range will be managed as a No Surface Occupancy for oil and gas development and exploration.	South Dakota
NSO 11-100	<b>PIPING PLOVER HABITAT</b> Surface occupancy and use is prohibited in and within 1/4 mile of Piping Plover habitat.	South Dakota
NSO 11-101	<b>INTERIOR LEAST TERN HABITAT</b> Surface occupancy and use is prohibited within 1/4 mile of Interior Least Tern habitat.	South Dakota
NSO 11-102	<b>BLACK-FOOTED FERRET HABITAT</b> Surface occupancy and use will be prohibited within 1/4 mile of occupied black-footed ferret habitat.	South Dakota
NSO 11-103	<b>PALLID AND SHOVEL-NOSED STURGEON</b> Surface occupancy and use is prohibited within 1/4 mile of the water's edge of the Missouri River to protect pallid and shovel-nosed sturgeon.	South Dakota
NSO 11-104	<b>FISHERIES AND AQUATICS SPECIES</b> Surface occupancy and use is prohibited within 1/4 mile of designated reservoirs with fisheries.	South Dakota
NSO 11-105	<b>VISUAL RESOURCES MANAGEMENT (VRM) SPECIAL RECREATION MANAGEMENT AREAS (SRMAs)</b> Surface occupancy and use will be prohibited in and within 1/2 mile of buffer of the Exemption Area SRMA. Surface occupancy and use will be prohibited within 1/2/ mile buffer around the Fort Meade SRMA/ACEC. (Minerals will be withdrawn within Fort Meade SRMA/ACEC).	South Dakota
NSO 11-106	<b>RECREATION – SPECIAL RECREATION MANAGEMENT AREAS (SRMAs)</b> Surface occupancy and use will be prohibited within 1/2 mile of the Special Recreation Management Areas (SRMAs) including Fort Meade ACEC and Exemption Area.	South Dakota
NSO 11-107	<b>NATIONAL REGISTER OF HISTORIC PLACES (NRHP) ELIGIBLE PROPERTIES/DISTRICTS AND TRADITIONAL CULTURAL PROPERTIES</b> Surface disturbing activities will not be allowed within and for a distance of 300 feet from the boundaries of cultural properties and archaeological/historic districts determined to be eligible or potentially eligible for the National Register of Historic Places. Standard lese conditions will not allow Surface Occupancy and Use within, and for a distance of 1/2 mile from the boundaries of cultural properties determined to be of importance to Native American Tribal groups, sites determined to be Traditional Cultural Properties, and/or designated for traditional use. Such properties include (but are not limited to) burial locations, pictograph/petroglyph, vision quest locations, certain stone alignments, buttes or other uplift type landforms, plant gathering locations, and areas considered sacred or used for religious purposes.	South Dakota

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)															
NSO 11-108	<b>PUBLIC SAFETY – IGLOO TOWN SITE</b> Surface occupancy and use will be prohibited within the Igloo town site.	South Dakota															
NSO 11-109	<b>NATIONAL HISTORIC TRAILS</b> Surface occupancy and use is prohibited within 1/2 mile of the National Trail Management Corridor of designated National Historic Trails. Designated Historic Trails include the Lewis and Clark Trail. The River Corridor is the designated historic trail for the Lewis and Clark Trail. To protect the Lewis and Clark Trail and associated settings, this stipulation will be applied to the water portion of the Missouri River and its reservoirs and extend out 1/2 mile from the high water mark of the river and its reservoirs.	South Dakota															
NSO 11-110	<b>DESIGNATED PALEONTOLOGICAL SITES/LOCALITIES</b> Surface occupancy and use is prohibited within designated paleontological sites/localities and in significant paleontological sites regardless of designation, except in the Fossil Cycad ACEC, which is closed to leasing.	South Dakota															
NSO 11-111	<b>GREATER SAGE-GROUSE PRIORITY HABITAT MANAGEMENT AREA (PHMA)</b> Surface occupancy and use is prohibited within Greater Sage-Grouse PHMA.	North Dakota															
NSO 11-112	<b>ACECs</b> Surface occupancy and use is prohibited for oil and gas exploration and development in areas identified as areas of critical environmental concern: <ul style="list-style-type: none"> <li>• Grove Creek ACEC</li> <li>• Meeteetse Spires (acquisition area only)</li> <li>• Pryor Foothills RNA ACEC (¼ mile buffer on known plant sites only)</li> <li>• Stark Site ACEC</li> <li>• Weatherman Draw ACEC (7,291 acres – expansion area only)</li> </ul>	Billings															
NSO 11-113	<b>BIGHORN SHEEP LAMBING</b> Surface occupancy and use is prohibited for oil and gas exploration and development within bighorn sheep lambing areas.	Billings															
NSO 11-114	<b>BLUE RIBBON FISHERIES</b> Surface occupancy and use is prohibited for oil and gas exploration and development within one half (½) mile from the centerline of streams containing Class 1 fisheries (Blue Ribbon).	Billings															
NSO 11-115	<b>CEMETERIES</b> Surface occupancy and use is prohibited for oil and gas exploration and development within and for a distance of 300 feet from the boundary of a cemetery. There are no known cemeteries on BLM administered surface within the Billings Field Office boundaries. There are four known cemeteries located on private surface/federal mineral estate within the BiFO boundaries. <table border="1" data-bbox="488 1421 1167 1587"> <thead> <tr> <th>Cemetery</th> <th>County</th> <th>7.5 Map Name</th> </tr> </thead> <tbody> <tr> <td>Annherer Spring Grave</td> <td>Carbon</td> <td>Dead Indian Hill</td> </tr> <tr> <td>Sunrise Cemetery</td> <td>Carbon</td> <td>Castagne</td> </tr> <tr> <td>Castle Butte Cemetery</td> <td>Yellowstone</td> <td>Bull Mountain NW</td> </tr> <tr> <td>Cabin Creek Cemetery</td> <td>Musselshell</td> <td>Weed Creek West</td> </tr> </tbody> </table>	Cemetery	County	7.5 Map Name	Annherer Spring Grave	Carbon	Dead Indian Hill	Sunrise Cemetery	Carbon	Castagne	Castle Butte Cemetery	Yellowstone	Bull Mountain NW	Cabin Creek Cemetery	Musselshell	Weed Creek West	Billings
Cemetery	County	7.5 Map Name															
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Sunrise Cemetery	Carbon	Castagne															
Castle Butte Cemetery	Yellowstone	Bull Mountain NW															
Cabin Creek Cemetery	Musselshell	Weed Creek West															
NSO 11-116	<b>EAGLE NEST SITES</b> Surface occupancy and use is prohibited for oil and gas exploration and development within 1/2 mile of active and alternate eagle nests (for territories occupied within the last five years) unless the activity complies with USFWS National Bald Eagle Management Guidelines (2007).	Billings															
NSO 11-117	<b>LAND AND WATER CONSERVATION FUND (LWCF) LANDS</b> Surface occupancy and use is prohibited for oil and gas exploration and development on lands acquired with Land and Water Conservation Funds.	Billings															
NSO 11-118	<b>MOUNTAIN PLOVER HABITAT</b> Surface occupancy and use is prohibited for oil and gas exploration and development within mountain plover habitat.	Billings															

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
NSO 11-119	<b>NATIONAL HISTORIC TRAILS</b> Surface occupancy and use is prohibited for oil and gas exploration and development within one-half (1/2) mile of designated National Historic Trails.	Billings
NSO 11-120	<b>NATIONAL REGISTER ELIGIBLE SITES</b> Surface occupancy and use is prohibited for oil and gas exploration and development within, and for a distance of 300 feet from the boundaries of cultural properties and archaeological/historic districts determined to be eligible or potentially eligible to the national register of historic places. This includes cultural properties designated for conservation use, scientific use, traditional use, and public use. Defined archaeological sites, districts, and areas include: Steamboat Butte, Bruder-Janich Site, Paul Duke Site, Demi-John Flat NR District, Bighorn Mouth North Cliffs rock art site, Gyp Springs Site, Hoskins Basin Archaeological District.	Billings
NSO 11-121	<b>PALEONTOLOGICAL SITES</b> Surface occupancy and use is prohibited for oil and gas exploration and development within designated or recorded paleontological sites.	Billings
NSO 11-122	<b>PEREGRINE FALCON NESTS</b> Surface occupancy and use is prohibited for oil and gas exploration and development within one mile of peregrine falcon nest sites active within the preceding 7 years.	Billings
NSO 11-123	<b>PRAIRIE DOG HABITAT</b> Surface occupancy and use is prohibited for oil and gas exploration and development within 1/4 mile of black-tailed or white-tailed prairie dog habitat. Prairie dog habitat is defined as the maximum extent of areas occupied by prairie dogs at any time during the last 10 years.	Billings
NSO 11-124	<b>UNINCORPORATED TOWNS AND RESIDENTIAL STRUCTURES</b> Surface occupancy and use is prohibited for oil and gas exploration and development within and 500 feet from unincorporated towns or human occupied residential structures.	Billings Havre
NSO 11-125	<b>RIPARIAN, WATER, WETLANDS, AND FLOODPLAINS</b> Surface occupancy and use is prohibited for oil and gas exploration and development within perennial or intermittent streams (as indicated by obligate wetland species or hydric soils), lakes, ponds, and reservoirs, 100-year floodplains, wetlands, and riparian areas.	Billings
NSO 11-126	<b>TRADITIONAL CULTURAL PROPERTIES AND TRADITIONAL USE AREAS</b> Surface occupancy and use is prohibited for oil and gas exploration and development within one-half (1/2) mile of the boundaries of cultural properties determined to be of particular importance to Native American groups, determined to be traditional cultural properties, and /or designated for traditional use. Such properties include (but are not limited to) burial locations, plant gathering locations, and areas considered sacred or used for religious purposes.	Billings
NSO 11-127	<b>GREATER SAGE-GROUSE PRIORITY HABITAT MANAGEMENT AREAS (PHMAs)</b> To protect Greater Sage-grouse, a priority species for management, surface occupancy and use is prohibited for oil and gas exploration and development within Greater Sage-grouse Priority Habitat Management Areas (PHMAs).	Billings
NSO 11-128	<b>GREATER SAGE-GROUSE GENERAL HABITAT MANAGEMENT AREAS</b> To protect general habitat areas for Greater Sage-grouse breeding activities, surface occupancy and use is prohibited for oil and gas exploration and development within 0.6 mile of the perimeter of Greater Sage-grouse leks.	Billings
NSO 11-129	<b>GREATER SAGE-GROUSE RESTORATION AREAS</b> To protect restoration areas for Greater Sage-grouse breeding activities, surface occupancy and use is prohibited for oil and gas exploration and development within 0.6 mile of the perimeter of Greater Sage-grouse leks.	Billings
NSO 11-130	<b>SHARP-TAILED GROUSE AND GREATER PRAIRIE CHICKEN LEKS</b> Surface occupancy and use is prohibited for oil and gas exploration and development within 1/2 mile of sharp-tailed grouse and greater prairie chicken leks.	Billings
NSO 11-131	<b>SPECIAL RECREATION MANAGEMENT AREAS</b> Surface occupancy and use is prohibited for oil and gas exploration and development on	Billings

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	the following Special Recreation Management Areas: <ul style="list-style-type: none"> <li>• Sundance Lodge Recreation Area</li> <li>• Four Dances Natural Area ACEC</li> <li>• Shepherd Ah-Nei Recreation Area</li> <li>• Acton Recreation Area</li> <li>• Yellowstone River Corridor: 1/2 mile corridor</li> </ul>	
NSO 11-132	<b>STATE LANDS</b> Surface occupancy and use is prohibited for oil and gas exploration and development within the State of Montana Wildlife Management Areas, Game Ranges, Fishing Access Sites, and State Parks.	Billings
NSO 11-133	<b>WILD AND SCENIC RIVERS</b> Surface occupancy and use is prohibited for oil and gas exploration and development within one half (1/2) mile from the centerline of Eligible and Suitable Wild and Scenic River segments.	Billings
NSO 11-134	<b>YELLOWSTONE CUTTHROAT TROUT POPULATIONS</b> Surface occupancy and use is prohibited for oil and gas exploration and development within one half (1/2) mile from the centerline of streams containing Montana Fish, Wildlife, and Parks designated conservation and core populations of Yellowstone cutthroat trout.	Billings
NSO 11-135	<b>BLACK-FOOTED FERRET HABITAT</b> Surface occupancy and use is prohibited for oil and gas exploration and development within 1/4 mile of black-footed ferret habitat.	Billings
NSO 11-136	<b>CRUCIAL WINTER RANGE</b> Surface occupancy and use is prohibited for oil and gas exploration and development in crucial winter range for antelope, elk, moose, bighorn sheep, mule deer, white-tailed deer, and Greater Sage-grouse.	Billings
NSO 11-137	<b>NATIONAL REGISTER OF HISTORIC PLACES (NRHP) ELIGIBLE PROPERTIES/DISTRICTS</b> Occupancy and use is prohibited within the boundaries of cultural properties and archaeological/ historic districts determined to be eligible or potentially eligible to the National Register of Historic Places.	Havre
NSO 11-138	<b>NATIONAL PARK SERVICE BEAR PAW BATTLEFIELD</b> Surface occupancy and use is prohibited in the parcel adjacent to the Bear Paw Battlefield identified as T30N, R19E, Sec. 12, SW1/4NE1/4.	Havre
NSO 11-139	<b>PALEONTOLOGICAL RESOURCES</b> Surface occupancy and use is prohibited within designated paleontological sites/locales.	Havre
NSO 11-140	<b>RECREATION SITES</b> Surface occupancy and use is prohibited within and 500 feet from recreation sites.	Havre
NSO 11-141	<b>SAGEBRUSH FOCAL AREA</b> Surface occupancy and use is prohibited within the Sagebrush Focal Area.	Havre
NSO 11-142	<b>BIG BEND OF THE MILK RIVER ACEC</b> Surface occupancy and use is prohibited within the Big Bend of the Milk River ACEC.	Havre
NSO 11-143	<b>FRENCHMAN BREAKS ACEC</b> Surface occupancy and use is prohibited within the Frenchman Breaks ACEC.	Havre
NSO 11-144	<b>KEVIN RIM ACEC</b> Surface occupancy and use is prohibited within the Kevin Rim ACEC.	Havre
NSO 11-145	<b>WOODY ISLAND ACEC</b> Surface occupancy and use is prohibited within the Woody Island ACEC.	Havre
NSO 11-146	<b>BALD EAGLE</b> Surface occupancy and use is prohibited within 1/2 mile of bald eagle nest sites that were active within the preceding 5 breeding seasons.	Havre
NSO 11-147	<b>BIGHORN SHEEP LAMBING</b> Surface occupancy and use is prohibited within bighorn sheep lambing areas.	Havre
NSO 11-148	<b>BLACK-FOOTED FERRET</b>	Havre

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	Surface occupancy and use is prohibited within 1/4 mile of black-footed ferret habitat.	
NSO 11-149	<b>BLACK-TAILED PRAIRIE DOG</b> Surface occupancy and use is prohibited within 1/4 mile of black-tailed prairie dog habitat.	Havre
NSO 11-150	<b>COLONIAL WATERBIRDS</b> Surface occupancy and use is prohibited within 1/4 mile of a waterbird nesting colony.	Havre
NSO 11-151	<b>GREATER SAGE-GROUSE LEKS (GENERAL HABITAT AREAS)</b> Surface occupancy and use is prohibited within 0.6 miles of Greater Sage-Grouse leks. This stipulation does not apply within the boundaries of the Greater Sage-Grouse Priority Habitat Management Area.	Havre
NSO 11-152	<b>GREATER SAGE-GROUSE PRIORITY HABITAT MANAGEMENT AREAS (PHMA)</b> Surface occupancy and use is prohibited within Greater Sage-Grouse Priority Habitat Management Area and the Grassland Bird/Greater Sage-Grouse Priority Habitat Management Area.	Havre
NSO 11-153	<b>INTERIOR LEAST TERN</b> Surface occupancy and use is prohibited within 1/4 mile of interior least tern occupied habitat.	Havre
NSO 11-154	<b>MOUNTAIN PLOVER</b> Surface occupancy and use is prohibited within mountain plover habitat.	Havre
NSO 11-155	<b>PEREGRINE FALCON</b> Surface occupancy and use is prohibited within 1 mile of peregrine falcon nest sites active within the preceding 7 breeding seasons.	Havre
NSO 11-156	<b>PIPING PLOVER</b> Surface occupancy and use is prohibited within 1/4 mile of piping plover habitat.	Havre
NSO 11-157	<b>RAPTORS</b> Surface occupancy and use is prohibited within 1/4 mile of raptor nest sites that were active within the past 7 years.	Havre
NSO 11-158	<b>SHARP-TAILED GROUSE LEKS</b> Surface occupancy and use is prohibited within 1/4 mile of sharp-tailed grouse leks.	Havre
	<b>STANDARD LEASE STIPULATION</b>	
Standard 16-3	<p><b>STANDARD LEASE</b></p> <p><b>ESTHETICS</b>--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).</p> <p><b>EROSION CONTROL</b>--Surface-disturbing activities may be prohibited during muddy and/or wet soil periods.</p> <p><b>CONTROLLED OR LIMITED SURFACE USE STIPULATION</b> --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 on-ground 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 <b>if absolutely necessary</b>, 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:</p>	Glasgow, Havre, Lewistown, Malta, North Dakota

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• Seasonal road closures, roads for special uses, specified roads during heavy traffic periods and on areas having restrictive off-road vehicle designations.</li> <li>• On slopes over 30 percent or 20 percent on extremely erodible or slumping soils.</li> </ul> <p><b>APPLICATIONS FOR PERMIT TO DRILL (APDs)</b>--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.</p> <p><b>CULTURAL AND PALEONTOLOGICAL RESOURCES</b>--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:</p> <ul style="list-style-type: none"> <li>• Contact the appropriate SMA to determine if a site-specific cultural resource inventory is required. If an inventory is required, then:</li> <li>• 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.</li> <li>• 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.</li> </ul> <p>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.</p> <p><b>ENDANGERED OR THREATENED SPECIES</b>--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</p>	

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	<p>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.</p>	
<b>ENDANGERED SPECIES STIPULATION (TES)</b>		
<b>TES 16-2</b>	<p><b>ENDANGERED SPECIES ACT SECTION 7 CONSULTATION</b>  The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. The 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. The 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. The 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 <i>et seq.</i>, including completion of any required procedure for conference or consultation.</p>	All Field Offices
<b>TIMING LIMITATION STIPULATION (TL)</b>		
<b>TL 13-5</b>	<p><b>FERRUGINOUS HAWK NESTS</b>  No surface use is allowed within one-half mile of occupied Ferruginous Hawk nests known to be occupied at least once within the seven previous years during the following time period: March 15 to July 15  The stipulation does not apply to the operation and maintenance of production facilities.</p>	North Dakota
<b>TL 13-6</b>	<p><b>BROOD-BEARING HABITAT</b>  No surface use is allowed from March 1 through June 30 in nesting and early brood-rearing habitat (defined as within three miles of Leks). This stipulation does not apply to operation and maintenance of production facilities.</p>	Dillon
<b>TL 13-7</b>	<p><b>BIG GAME WINTER/SPRING RANGE</b>  No surface use is allowed from December 1 through May 15 within big game winter/spring range for wildlife. To protect Mule Deer, Elk, Antelope and Moose winter range from disturbance during the winter/spring season. This stipulation does not apply to operation and maintenance of production facilities.</p>	Dillon
<b>TL 13-8</b>	<p><b>ELK CALVING/BIG GAME BIRTHING AREAS</b>  No surface use is allowed from April 1 through June 30 in Elk calving/big game birthing areas to protect Mule Deer, Elk, Antelope and Moose birthing areas from disturbance and facilitate long-term maintenance of wildlife populations. This stipulation does not apply to operation and maintenance of production facilities.</p>	Dillon
<b>TL 13-9</b>	<p><b>BIGHORN SHEEP RUTTING, WINTER AND LAMBING HABITAT</b>  No surface use is allowed from November 1 through June 30 in Bighorn Sheep rutting, winter and lambing habitat to protect the habitat from disturbance and facilitate long-term maintenance of Bighorn Sheep populations. This stipulation does not apply to operation and maintenance of production facilities.</p>	Butte Dillon
<b>TL 13-10</b>	<p><b>BALD EAGLE NEST SITES</b>  No surface use is allowed from February 1 through August 31 in a one mile radius around Bald Eagle nest sites/breeding habitat to protect nesting sites and/or breeding habitat in accordance with the Endangered Species Act and the Montana Bald Eagle Management Plan. This stipulation does not apply to operation and maintenance of production facilities.</p>	Dillon
<b>TL 13-11</b>	<p><b>RAPTOR NEST SITES</b>  No surface use is allowed from March 1 through July 31 within one-half mile of raptor nest sites which have been active within the past five years. This stipulation does not</p>	Butte

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	apply to operation and maintenance of production facilities unless the findings of analysis demonstrate the continued need for such mitigation and that less stringent, project-specific mitigation measures would be insufficient.	
TL 13-11	<b>RAPTOR NEST SITES</b> No surface use is allowed from March 1 through July 31 within one-half mile of raptor nest sites which have been active within the past five years. This stipulation does not apply to operation and maintenance of production facilities	Dillon
TL 13-12	<b>WATERFOWL PRODUCTION AND MOLTING AREAS</b> No surface use is allowed from April 1 through August 31 within one-half mile of waterfowl production and molting areas to protect these areas from disturbance and facilitate long-term maintenance of waterfowl populations. This stipulation does not apply to operation and maintenance of production facilities.	Dillon
TL 13-13	<b>FERRUGINOUS HAWK NEST SITES</b> No surface use is allowed from March 1 through August 31 within one mile of Ferruginous Hawk nest sites that have been active within the past five years. This stipulation does not apply to operation and maintenance of production facilities.	Dillon
TL 13-14	<b>SAGE GROUSE WINTER AND SPRING RANGE</b> No surface use is allowed from December 1 through May 15 within winter and spring range for Sage Grouse. This stipulation does not apply to operation and maintenance of production facilities.	Butte Dillon
TL 13-15	<b>WATERFOWL NESTING HABITAT</b> No seismic exploration is allowed within 500 feet of waterfowl nesting habitat from March 1 through July 1 to protect nesting waterfowl. This stipulation does not apply to operation and maintenance of production facilities.	North Dakota
TL 13-16	<b>PRAIRIE FALCON NESTS</b> No surface use is allowed within one-half mile of occupied Prairie Falcon nests during the following time period: March 15 through July 15 This stipulation does not apply to the operation and maintenance of production facilities.	North Dakota
TL 13-17	<b>STRUTTING GROUNDS</b> No surface use is allowed within two miles of active strutting grounds during the following time period: March 1 to June 15 This stipulation does not apply to the operation and maintenance of production facilities.	North Dakota
TL 13-18	<b>BIGHORN SHEEP LAMBING RANGE</b> No surface use is allowed on Bighorn Sheep lambing range during the following time period: April 1 to June 15 This stipulation does not apply to the operation and maintenance of production facilities.	North Dakota
TL 13-19	<b>BIGHORN SHEEP WINTER RANGE</b> No surface use is allowed on Bighorn Sheep winter range during the following time period: December 1 to April 1 This stipulation does not apply to the operation and maintenance of production facilities.	North Dakota
TL 13-21	<b>GOLDEN EAGLE NESTS</b> No surface use is allowed within one-half mile of occupied Golden Eagle nests during the following time period: February 15 to July 15 This stipulation does not apply to operation and maintenance of production facilities.	North Dakota
TL 13-22	<b>ELK CALVING</b> No surface use is allowed for Elk calving during the following time period: June 1 to July 1 This stipulation does not apply to operation and maintenance of production facilities.	North Dakota
TL 13-23	<b>ELK WINTER RANGE</b> No surface use is allowed on Elk winter range during the following time period: November 30 to May 1 This stipulation does not apply to operation and maintenance of production facilities.	North Dakota
TL 13-24	<b>GOLDEN EAGLE PREVIOUSLY OCCUPIED NESTS</b> No surface use is allowed within one-half mile of occupied Golden Eagle nests known to be occupied at least once within the seven previous years during the following time period: February 15 to July 15	North Dakota

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	The stipulation does not apply to the operation and maintenance of production facilities.	
TL 13-26	<b>BALD EAGLE NEST SITES</b> No surface use is allowed from February 1 through August 31 in a one mile radius around Bald Eagle nest sites. This stipulation does not apply to the operation and maintenance of production facilities unless the findings of analysis demonstrate the continued need for such mitigation and that less stringent, project-specific mitigation measures would be insufficient.	Butte
TL 13-27	<b>BIGHORN SHEEP RUTTING, WINTER AND LAMBING HABITAT</b> No surface use is allowed from November 1 through June 30 in Bighorn rutting, winter and lambing habitat. This stipulation does not apply to the operation and maintenance of production facilities unless the findings of analysis demonstrate the continued need for such mitigation and that less stringent, project-specific mitigation measures would be insufficient.	Butte
TL 13-28	<b>BIG GAME RANGE</b> No surface use is allowed from December 1 through May 15 within winter range for wildlife to protect Mule Deer, Elk, Antelope, and Moose winter/spring range from disturbance. This stipulation does not apply to operation and maintenance of production facilities unless the findings of analysis demonstrate the continued need for such mitigation and that less stringent project-specific mitigation measures would be insufficient.	Butte
TL 13-29	<b>BIG GAME BIRTHING AREAS</b> No surface use is allowed from April 1 through June 30 in big game birthing areas to protect Mule Deer, Elk, Antelope, and Moose from disturbance. This stipulation does not apply to operation and maintenance of production facilities unless the findings of analysis demonstrate the continued need for such mitigation and that less stringent project-specific mitigation measures would be insufficient.	Butte
TL 13-30	<b>EARLY BROOD REARING HABITAT</b> No surface use is allowed from March 1 through June 30 in nesting and early brood rearing habitat (defined as within three miles of Leks). This stipulation does not apply to operation and maintenance of production facilities unless the findings of analysis demonstrate the continued need for such mitigation and that less stringent project-specific mitigation measures would be insufficient.	Butte
TL 13-31	<b>GRIZZLY BEAR</b> No surface use is allowed from April 1 to June 30 and from September 15 to October 15 in the Grizzly Bear distribution zone. This stipulation does not apply to operation and maintenance of production facilities unless the findings of analysis demonstrate the continued need for such mitigation and that less stringent project-specific mitigation measures would be insufficient.	Butte
TL 13-32	<b>WOLF DENS</b> No surface use is allowed within a one mile buffer around Wolf dens or rendezvous sites from April 15 to June 30 in the Northwest Montana Recovery Area. This stipulation does not apply to operation and maintenance of production facilities unless the findings of analysis demonstrate the continued need for such mitigation and that less stringent project-specific mitigation measures would be insufficient.	Butte
TL 13-33	<b>RAPTORS</b> Surface use is prohibited within 0.50 mile of active raptor nest sites from March 1 through July 31.	Billings Miles City
TL 13-34	<b>COLONIAL NESTING WATERBIRDS</b> Surface use is prohibited within 0.50 mile of waterbird nesting colonies from April 1 through July 15.	Billings Miles City
TL 13-35	<b>RAPTOR NEST SITES THAT WERE ACTIVE WITHIN THE LAST 7 YEARS</b> Surface use is prohibited within 0.50 mile of active raptor nest sites from March 1 through July 31.	South Dakota
TL 13-36	<b>COLONIAL NESTING WATERBIRDS</b> Surface disturbing and disruptive activities will be prohibited within 0.50 mile of	South Dakota

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
	waterbird nesting colonies from April 1 through July 15.	
TL 13-37	<b>GOLDEN EAGLE, BURROWING OWL, FERRUGINOUS HAWK, SWAINSON'S HAWK, OPSREY, PRAIRIE FALCON, AND NORTHERN GOSHAWK (DOES NOT INCLUDE PEREGRINE FALCON OR BALD EAGLE)</b> Surface use is prohibited within 0.5 miles of active raptor nest sites from March 1 through July 31.	South Dakota
TL 13-38	<b>MOUNTAIN PLOVER HABITAT</b> Surface use is prohibited within 1/4 mile of mountain plover habitat from April 1 through July 15.	Billings
TL 13-39	<b>SPRAGUE'S PIPIT HABITAT</b> Surface use is prohibited from April 15 through July 15 in Sprague's Pipit Habitat. This stipulation does not apply to operation and maintenance of production facilities.	Billings
TL 13-40	<b>SAGE-GROUSE NEST AREAS (RESTORATION AREAS AND GENERAL HABITAT MANAGEMENT AREAS)</b> Surface use is prohibited from March 1 through June 30 within 3 miles of sage grouse leks. This stipulation does not apply to operation and maintenance of production facilities.	Billings
TL 13-41	<b>SHARP-TAILED GROUSE NESTING</b> Surface use is prohibited within 2 miles of the perimeter of sharp-tailed grouse and/or greater prairie chicken leks from April 1 through July 15.	Billings
TL 13-42	<b>COLONIAL WATERBIRDS</b> Surface occupancy and use is prohibited within 1/2 mile of a waterbird nesting colony from April 1 through July 15.	Havre
TL 13-43	<b>GREATER SAGE-GROUSE WINTER RANGE</b> Surface occupancy and use is prohibited from December 1 through March 31 in Greater Sage-Grouse winter range.	Havre
TL 13-44	<b>MOUNTAIN PLOVER</b> Surface occupancy and use is prohibited within 1/4 mile of mountain plover habitat from April 1 through July 15.	Havre
TL 13-45	<b>RAPTORS</b> Surface occupancy and use is prohibited within 1/2 mile of active raptor nest sites from March 1 through July 31.	Havre
TL 13-46	<b>SHARP-TAILED GROUSE NESTING HABITAT</b> Surface occupancy and use is prohibited within 1/2 mile of sharp-tailed grouse leks from March 15 through June 30.	Havre
TL 13-47	<b>SPRAGUE'S PIPIT</b> Surface occupancy and use is prohibited from April 15 through July 15 in Sprague's pipit habitat.	Havre
TL 13-48	<b>WINTER RANGE - BIG GAME AND GREATER SAGE-GROUSE</b> Surface occupancy and use is prohibited from December 1 through May 15 in big game winter range.	Havre
<b>Region 1 Forest Service</b>		
DPG 13d (McKenzie RD)	FOREST SERVICE - Agency lease stipulations.	
DPG 13d (Medora RD)	FOREST SERVICE - Agency lease stipulations.	
DPG NSO 14-1	FOREST SERVICE - Agency lease stipulations.	
DPG NSO 14-2	FOREST SERVICE - Agency lease stipulations.	
DPG NSO 14-3	FOREST SERVICE - Agency lease stipulations.	
DPG NSO 14-4	FOREST SERVICE - Agency lease stipulations.	
DPG NSO 14-5	FOREST SERVICE - Agency lease stipulations.	
DPG NSO 14-6	FOREST SERVICE - Agency lease stipulations.	
DPG NSO 14-7	FOREST SERVICE - Agency lease stipulations.	
DPG NSO 14-8	FOREST SERVICE - Agency lease stipulations.	
DPG NSO 14-9	FOREST SERVICE - Agency lease stipulations.	

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
DPG NSO 14-10	FOREST SERVICE - Agency lease stipulations.	
DPG NSO 14-11	FOREST SERVICE - Agency lease stipulations.	
DPG NSO 14-12	FOREST SERVICE - Agency lease stipulations.	
DPG NSO 14-13	FOREST SERVICE - Agency lease stipulations.	
DPG NSO 14-14	FOREST SERVICE - Agency lease stipulations.	
DPG NSO 14-15	FOREST SERVICE - Agency lease stipulations.	
DPG NSO 14-16	FOREST SERVICE - Agency lease stipulations.	
DPG NSO 14-17	FOREST SERVICE - Agency lease stipulations.	
DPG TL 15-1	FOREST SERVICE - Agency lease stipulations.	
DPG TL 15-2	FOREST SERVICE - Agency lease stipulations.	
DPG TL 15-3	FOREST SERVICE - Agency lease stipulations.	
DPG TL 15-4	FOREST SERVICE - Agency lease stipulations.	
DPG TL 15-5	FOREST SERVICE - Agency lease stipulations.	
DPG TL 15-6	FOREST SERVICE - Agency lease stipulations.	
DPG TL 15-7	FOREST SERVICE - Agency lease stipulations.	
DPG TL 15-8	FOREST SERVICE - Agency lease stipulations.	
DPG CSU 16-1	FOREST SERVICE - Agency lease stipulations.	
DPG CSU 16-2	FOREST SERVICE - Agency lease stipulations.	
DPG CSU 16-3	FOREST SERVICE - Agency lease stipulations.	
DPG CSU 16-5	FOREST SERVICE - Agency lease stipulations.	
DPG CSU 16-6	FOREST SERVICE - Agency lease stipulations.	
DPG CSU 16-7	FOREST SERVICE - Agency lease stipulations.	
DPG CSU 16-8	FOREST SERVICE - Agency lease stipulations.	
DPG TES 18a	FOREST SERVICE - Agency lease stipulations.	
DPG 22b	FOREST SERVICE - Agency lease stipulations.	
DPG 22c	FOREST SERVICE - Agency lease stipulations.	
<b>Region 2 Forest Service</b>		
NPG 13d (Fall River RD)	FOREST SERVICE - Agency lease stipulations.	
NGP NSO 14-01	FOREST SERVICE - Agency lease stipulations.	
NGP NSO 14-02	FOREST SERVICE - Agency lease stipulations.	
NGP NSO 14-03	FOREST SERVICE - Agency lease stipulations.	
NGP NSO 14-04	FOREST SERVICE - Agency lease stipulations.	
NGP NSO 14-05	FOREST SERVICE - Agency lease stipulations.	
NGP NSO 14-06	FOREST SERVICE - Agency lease stipulations.	
NGP NSO 14-07	FOREST SERVICE - Agency lease stipulations.	
NGP NSO 14-08	FOREST SERVICE - Agency lease stipulations.	
NGP NSO 14-09	FOREST SERVICE - Agency lease stipulations.	
NGP NSO 14-10	FOREST SERVICE - Agency lease stipulations.	
NGP NSO 14-11	FOREST SERVICE - Agency lease stipulations.	
NGP TL 15-01	FOREST SERVICE - Agency lease stipulations.	
NGP TL 15-02	FOREST SERVICE - Agency lease stipulations.	
NGP TL 15-03	FOREST SERVICE - Agency lease stipulations.	
NGP TL 15-04	FOREST SERVICE - Agency lease stipulations.	
NGP TL 15-05	FOREST SERVICE - Agency lease stipulations.	
NGP TL 15-06	FOREST SERVICE - Agency lease stipulations.	
NGP TL 15-07	FOREST SERVICE - Agency lease stipulations.	
NGP TL 15-08	FOREST SERVICE - Agency lease stipulations.	
NGP TL 15-09	FOREST SERVICE - Agency lease stipulations.	
NGP CSU 16-01	FOREST SERVICE - Agency lease stipulations.	
NGP CSU 16-02	FOREST SERVICE - Agency lease stipulations.	
NGP CSU 16-03	FOREST SERVICE - Agency lease stipulations.	
NGP CSU 16-04	FOREST SERVICE - Agency lease stipulations.	

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
NGP CSU 16-05	FOREST SERVICE - Agency lease stipulations.	
NGP CSU 16-06	FOREST SERVICE - Agency lease stipulations.	
NGP CSU 16-07	FOREST SERVICE - Agency lease stipulations.	
<b>Bureau of Reclamation</b>		
BOR 17-1	BUREAU OF RECLAMATION - Agency special stipulations.	
BOR 17-2	BUREAU OF RECLAMATION - Agency special stipulations.	
<b>Corps of Engineers</b>		
COE 18-1	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-2	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-3	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-4	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-5	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-6	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-7	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-8	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-9	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-10	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-11	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-12	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-13	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-14	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-15	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-16	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-17	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-18	CORPS OF ENGINEERS - Agency lease stipulations.	
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COE 18-27	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-28	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-29	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-30	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-31	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-32	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-33	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-34	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-35	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-36	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-37	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-38	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-39	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-40	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-41	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-42	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-43	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-44	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-45	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-46	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-47	CORPS OF ENGINEERS - Agency lease stipulations.	

Stipulation Number	Stipulation Name/Brief Description	Field Office(s)
COE 18-48	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-49	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-50	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-51	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-52	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-53	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-54	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-55	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-56	CORPS OF ENGINEERS - Agency lease stipulations.	
COE 18-57	CORPS OF ENGINEERS - Agency lease stipulations.	
<b>Federal Energy Regulatory Commission</b>		
FERC 19-1	FEDERAL ENERGY REGULATORY COMMISSION - Agency Lease Stipulations.	
<b>International Boundary Commission</b>		
IBC 18-8	INTERNATIONAL	
<b>US Air Force (USAF)</b>		
USAF 19-1	United States Air Force - Agency lease stipulations.	