

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
LITTLE SNAKE FIELD OFFICE**

**Exhibits  
August 2013 Oil and Gas Lease Sale  
DOI-BLM-CON010-2013-0032-DNA  
Attachment D**

## EXHIBIT CO-01

Lease Number:

### NO SURFACE OCCUPANCY STIPULATION

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

For the purpose of:

Protection of surface and longwall coal mines where oil and gas development is incompatible with planned coal extraction.

Changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

Exception Criteria:

This stipulation may be waived if the lessee agrees that any well approved for drilling will be plugged below the coal when the crest of the highwall or longwall approaches within 500 feet of the well. A suspension of operations and production will be considered for the lease only when a well is drilled and then plugged, and a new well or reentry is planned when the mine moves through the location.

## EXHIBIT CO-25

Lease Number:

### CONTROLLED SURFACE USE STIPULATION

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

Operations proposed within the area of an approved surface or underground coal mine will be relocated outside the area to be mined or to accommodate room and pillar mining operations.

On the lands described below:

For the purpose of:

To protect surface or underground coal mines

Exception Criteria:

This stipulation may be waived without a plan amendment if the lessee agrees that the drilling of a well will be subject to the following conditions: (1)(a) well must be plugged when the mine approaches within 500 feet of the well and reentered or redrilled upon completion of the mining operation; (b) well must be plugged in accordance with Mine Safety and Health Administration (formerly Mine Enforcement and Safety Administration) Informational Report 1052; (c) operator will provide accurate location of where the casing intercepts the coal by providing a directional and deviation survey of the well to the coal operator; or (2) relocate well into a permanent pillar or outside the area to be mined. A suspension of operations and production will be considered when the well is plugged, and a new well is to be drilled after mining operations move through the location.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).

## EXHIBIT CO-28

Lease Number:

### CONTROLLED SURFACE USE STIPULATION

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

On the lands described below:

For the purpose of:

To protect perennial water impoundments and streams, and/or riparian/wetland vegetation by moving oil and gas exploration and development beyond the riparian vegetation zone.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820. See also Geothermal PEIS ROD section 2.3.3 at page 2-6.)

Exception Criteria:

Exceptions may be granted only if an on-site impact analysis shows no degradation of the resource values.

## EXHIBIT CO-34

Lease Number:

### ENDANGERED SPECIES ACT SECTION 7 CONSULTATION STIPULATION

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. § 1531 et seq., including completion of any required procedure for conference or consultation.

On the lands described below:

## EXHIBIT CO-39

Lease Number:

### CONTROLLED SURFACE USE

This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O.13007, or other statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

On the lands described below:

**Exhibit LS-103**  
**TIMING LIMITATION - RAPTOR NESTING AND FLEDGLING**

**Stipulation:** No surface use is allowed within 0.25 miles of raptor nests (Golden eagle, Osprey, all accipiters, falcons (except the kestrel), buteos, and owls, not including special status species raptors) from February 1 – August 15. Suggested dates are from CPW Statewide Recommendations (2010).

**On the following lands:**

<LEGAL\_DESCRIPTION>

This stipulation only applies to construction and drilling, and does not apply to operations and maintenance.

**Purpose:** To maintain the integrity of raptor nest sites and surrounding habitat.

**Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 of Forest Service Manuals 1950 and 2820.)**

**Exception:**

An exception may be granted by the Authorized Officer during years when a nest site is unoccupied, or unoccupied by or after May 15. An exception may be granted by the Authorized Officer once the young have fledged and dispersed from the nest.

**Modification:**

A modification may be granted if the Authorized Officer determines that portions of the leasehold can be occupied without adversely affecting the nest site, based on topography, species, season of use, if the nests expected to be disturbed are inactive, and other pertinent factors.

**Waiver:**

A waiver may be granted if the Authorized Officer determines that (1) the leasehold can be occupied without adversely affecting the nest site (2) the nest is unoccupied for three consecutive years by the identified species and (3) there is no reasonable likelihood of future use.

**Exhibit LS-104**  
**TIMING LIMITATION - COLUMBIAN SHARP-TAILED GROUSE WINTER**  
**HABITAT**

**Stipulation:** No surface use is allowed within Columbian Sharp-tailed Grouse crucial winter habitat from December 16 - March 15. Suggested dates are from CPW Statewide Recommendations (2010).

**On the following lands:**

<LEGAL\_DESCRIPTION>

This stipulation only applies to construction and drilling, and does not apply to operations and maintenance.

**Purpose:** To prevent disruption of Columbian Sharp-tailed grouse during the winter period.

**Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 of Forest Service Manuals 1950 and 2820.)**

**Exception:**

An exception may be granted by the Authorized Officer if the operator submits a plan that demonstrates that impacts from the proposed action can be adequately mitigated or it is determined the habitat is not being used during the period of concern for any given year.

**Modification:**

The Authorized Officer may modify the boundaries in the stipulation area if it is determined that the actual habitat suitability for wintering sage-grouse is greater or less than the identified boundary. Timeframes may be modified based on studies documenting local periods of actual use.

**Waiver:**

This stipulation may be waived, if it is determined that the site has been permanently abandoned or unoccupied for a minimum of 10 years (a lek must be “inactive” in at least four non-consecutive strutting seasons spanning the ten years); site conditions have changed such that there is no reasonable likelihood of site occupation for a subsequent minimum period of once every 10 years, or sage-grouse are no longer a BLM sensitive or special status species and are not listed by the United States Fish and Wildlife Service.



## Exhibit LS-105

### NO SURFACE OCCUPANCY - PERENNIAL WATER SOURCES

**Stipulation:** No surface occupancy is allowed within 0.25 miles of perennial water sources.

**On the following lands:**

<LEGAL\_DESCRIPTION>

**Purpose:** To maintain the proper functioning condition, including the vegetative, hydrologic and geomorphic functionality of the perennial water body. Protect water quality, fish habitat, aquatic habitat, and provide a clean, reliable source of water for downstream users. Buffers are expected to indirectly benefit migratory birds, wildlife habitat, amphibians, and other species.

**Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 of Forest Service Manuals 1950 and 2820.)**

**Exception:**

An exception to this restriction or stipulation may be granted by the Authorized Officer, if the operator submits a plan demonstrating that impacts from the proposed action are acceptable or can be adequately mitigated.

**Modification:**

A stipulation included in an oil and gas lease shall be subject to modification only if the authorized officer determines that the factors leading to its inclusion in the lease have changed sufficiently to make the protection provided by the stipulation no longer justified or if the proposed operations would not cause unacceptable impacts.

**Waiver:**

A stipulation included in an oil and gas lease shall be subject to waiver only if the Authorized Officer determines that the factors leading to its inclusion in the lease have changed sufficiently to make the protection provided by the stipulation no longer justified or if the proposed operations would not cause unacceptable impacts.

## Exhibit LS-106

### NO SURFACE OCCUPANCY - RAPTOR NESTS

**Stipulation:** No surface occupancy is allowed within 0.25 miles of raptor nest sites (Golden eagle, Osprey, all accipiters, falcons (except the kestrel), buteos, and owls, not including special status species raptors).

**On the following lands:**

<LEGAL\_DESCRIPTION>

**Purpose:** To maintain the integrity of raptor nest sites and surrounding habitat.

**Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 of Forest Service Manuals 1950 and 2820.)**

**Exception:**

An exception may be granted by the Authorized Officer if the operator submits a plan which demonstrates that the proposed action will not affect the raptor nest site. If the Authorized Officer determines that the action may or will have an adverse effect on the species, the operator may submit a plan demonstrating that the impacts can be adequately mitigated. This plan must be approved by the BLM.

**Modification:**

A modification may be granted if the Authorized Officer determines that portions of the leasehold can be occupied without adversely affecting the nest site, based on topography, species, season of use, if the nests expected to be disturbed are inactive, and other pertinent factors.

**Waiver:**

A waiver may be granted if the Authorized Officer determines that (1) the leasehold can be occupied without adversely affecting the nest site (2) the nest is unoccupied for three consecutive years by the identified species and (3) there is no reasonable likelihood of future use.

## Exhibit LS-110

### CONTROLLED SURFACE USE - FRAGILE SOILS

**Stipulation:** Surface occupancy on public land will be permitted only where adherence to performance objectives for surface disturbing activities within fragile-soil areas is assured. Special design, construction, and implementation measures, including relocation of operations by more than 200 meters (656 feet), may be required.

Performance objectives for fragile soils include:

- Maintain soil productivity both by reducing soil loss from erosion and through proper handling of the soil material.
- Reduce the impact to offsite areas by controlling erosion and/or overland flow from these areas.
- Protect water quality and quantity of adjacent surface and ground water sources.
- Reduce accelerated erosion caused by surface disturbing activities.
- Select the best possible site for development to reduce impacts on soil and water resources.

#### **On the following lands:**

<LEGAL\_DESCRIPTION>

**Purpose:** To improve reclamation potential, maintain soil stability and productivity of sensitive areas, minimize contributions of salinity, selenium and sediments likely to affect downstream water quality, fisheries and other downstream aquatic habitats.

**Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 of Forest Service Manuals 1950 and 2820.)**

#### **Exception:**

An exception to this restriction or stipulation may be granted by the Authorized Officer, if the operator submits a plan demonstrating that impacts from the proposed action are acceptable or can be adequately mitigated.

#### **Modification:**

A stipulation included in an oil and gas lease shall be subject to modification only if the authorized officer determines that the factors leading to its inclusion in the lease have changed sufficiently to make the protection provided by the stipulation no longer justified or if the proposed operations would not cause unacceptable impacts.

**Waiver:**

A stipulation included in an oil and gas lease shall be subject to waiver only if the Authorized Officer determines that the factors leading to its inclusion in the lease have changed sufficiently to make the protection provided by the stipulation no longer justified or if the proposed operations would not cause unacceptable impacts.

## Exhibit LS-111

### CONTROLLED SURFACE USE - STEEP SLOPES

**Stipulation:** Surface use may be restricted on slopes of 35 percent or greater. Prior to surface disturbing activity, an engineering or reclamation plan must be approved by the authorized officer. Special design, construction, and implementation measures, including relocation of operations by more than 200 meters (656 feet), may be required

**On the following lands:**

<LEGAL\_DESCRIPTION>

**Purpose:** To minimize the risk of mass wasting, sedimentation and reduced reclamation costs, protecting soil productivity, rare or sensitive biota, minimizing risk to water bodies, fisheries and aquatic species habitats and protection of human health and safety (from landslides, mass wasting, etc.).

**Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 of Forest Service Manuals 1950 and 2820.)**

**Exception:**

An exception to this restriction or stipulation may be granted by the Authorized Officer, if the operator submits a plan demonstrating that impacts from the proposed action are acceptable or can be adequately mitigated.

**Modification:**

A stipulation included in an oil and gas lease shall be subject to modification only if the authorized officer determines that the factors leading to its inclusion in the lease have changed sufficiently to make the protection provided by the stipulation no longer justified or if the proposed operations would not cause unacceptable impacts.

**Waiver:**

A stipulation included in an oil and gas lease shall be subject to waiver only if the authorized officer determines that the factors leading to its inclusion in the lease have changed sufficiently to make the protection provided by the stipulation no longer justified or if the proposed operations would not cause unacceptable impacts.

## Exhibit LS-117

### TIMING LIMITATION - GREATER SANDHILL CRANE NESTING AND STAGING HABITAT

**Stipulation:** No surface use is allowed within nesting and staging habitat areas from March 1 to October 16.

**On the following lands:**

<LEGAL\_DESCRIPTION>

This stipulation only applies to construction and drilling, and does not apply to operations and maintenance.

**Purpose:** To prevent disruption of bird behavior during key seasonal habitat use periods.

**Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 of Forest Service Manuals 1950 and 2820.)**

**Exception:**

An exception may be granted by the Authorized Officer if the operator submits a plan that demonstrates that impacts from the proposed action can be adequately mitigated or it is determined the habitat is not being used during the period of concern for any given year.

**Modification:**

A stipulation included in an oil and gas lease shall be subject to modification only if the authorized officer determines that the factors leading to its inclusion in the lease have changed sufficiently to make the protection provided by the stipulation no longer justified or if the proposed operations would not cause unacceptable impacts.

**Waiver:**

A stipulation included in an oil and gas lease shall be subject to waiver only if the authorized officer determines that the factors leading to its inclusion in the lease have changed sufficiently to make the protection provided by the stipulation no longer justified or if the proposed operations would not cause unacceptable impacts.