

Alert/Oil and Gas Lease Sale Parcel Changes

Changes to the May 4th Wyoming State Oil and Gas Lease Auction

Parcel # 9 **Withdrawn.** *Question of clear title to State.*

Parcel # 14 **Withdrawn.** *Question of clear title to State.*

Parcel #38 **Withdrawn** *currently leased*

Parcel #49 **Withdrawn** *currently leased*

Parcel #50 **Withdrawn** *currently leased*

Parcel # 64 **Withdrawn.** *Question of clear title to State.*

Parcel #104 **Withdrawn** *based on recommendation from State Parks & Cultural Resources Office.*

Parcel #129 **Withdrawn.** *Question of clear title to State.*

Parcel #165 **Fund code change to S.R. Still in auction**

Parcel #175 **Withdrawn.** *Duplicate legal description.*

Parcel #183 **Withdrawn.** *based on recommendation from Wyoming Game and Fish Department.*

Parcel #196 *Total acres should be 643.00*

Lands added to the May 4th 2011, Auction list

Parcel #205 T19N R67W, Sec 26 SENE:NESE 80.00 acres Laramie County

Parcel #206 T31N R69W, Sec 36 All 640.00 acres Converse County

Parcel #207 T44N R92W, Sec 13 NESE 40.00 acres Washakie County

Parcel #208 T44N R92W, Sec 16 All 640.00 acres Washakie County

Parcel #209 T44N R93W, Sec 16 All 640.00 acres Hot Springs County

Parcel #210 T44N R94W, Sec 16 N2:SE 480.00 acres Hot Springs County

Parcel #211 T44N R95W, Sec 16 All 640.00 acres Hot Springs County

Parcel #212 T44N R98W, Sec 16 All 640.00 acres Hot Springs County.

This auction list was generated and authenticated by the Office of State Lands & Investments current G.I.S. program capture. (From time to time some lands may be questionable as described by the system and as such, removed from auction list until title/ownership issue resolved.)

For all questions and concerns please feel free to call or E-mail.

Donna Bracht

dbrach@wyo.gov

1(307)777-6547

Wednesday, May 04, 2011

Auction List

(*) = Tracts to be Auctioned at 12.5% Royalty Rate

(N) = Nominated Lands

(W) = Withdrawn Lands

Stipulation Codes (see definitions at the end of this document)

Parcel #	County	Legal Description	Acres	Fund	Stipulations
1	Laramie	T13N R61W Sec 6 E2SW:SENW:L4:L5:L6:L7	257.37	FH	117,136
2	Laramie	T13N R61W Sec 6 SE	160.00	CS	136
3	Laramie	T13N R61W Sec 36 ALL	640.00	CS	117,136
4	Goshen	T28N R61W Sec 25 E2	320.00	FL	117,136
5	Laramie	T13N R62W Sec 6 S2NE:L1:L2	159.40	FL	136
6	Laramie	T13N R62W Sec 16 ALL	640.00	CS	136
7	Goshen	T27N R62W Sec 17 N2NE:NENW	120.00	CS	5,117,136
8	Goshen	T29N R62W Sec 10 SWSE Sec 15 NWNE	80.00	CS	136
9	W Goshen	T29N R62W Sec 10 NWSE:SESE	80.00	UN	136
10	Goshen	T29N R62W Sec 14 SWNW	40.00	UN	117,136
11	Goshen	T29N R62W Sec 15 SWSE	40.00	UN	136
12	Goshen	T29N R62W Sec 15 SENE:NESE	80.00	CS	136

13		Goshen	<u>T29N R62W</u> Sec 16 ALL	640.00	CS	136
14	W	Laramie	<u>T14N R63W</u> Sec 11 N2	304.00	FL	135,136
15		Laramie	<u>T14N R63W</u> Sec 12 SW	160.00	FL	136
16		Laramie	<u>T14N R63W</u> Sec 24 NE:SW	320.00	FL	117,136
17		Laramie	<u>T14N R63W</u> Sec 26 W2SE:SESE:SESW	160.00	CS	117,136
18		Laramie	<u>T18N R63W</u> Sec 9 N2NW:NWNE	120.00	CS	117,136
19		Goshen	<u>T23N R63W</u> Sec 6 E2SWSW:SESW:SWSE Sec 7 NWNE:N2SWNE	160.00	FL	136
20		Goshen	<u>T23N R63W</u> Sec 11 W2E2	160.00	FL	136
21		Goshen	<u>T25N R63W</u> Sec 1 S2SW	80.00	FL	136
22		Goshen	<u>T25N R63W</u> Sec 3 L4	38.63	FL	136
23		Goshen	<u>T25N R63W</u> Sec 33 SE Sec 34 SW	320.00	FL	136
24		Goshen	<u>T26N R63W</u> Sec 34 W2SW:SESW	120.00	FL	136
25		Goshen	<u>T29N R63W</u> Sec 31 E2NE	80.00	CS	117,136

26	Niobrara	<u>T39N R63W</u> Sec 1 W2SE:N2SW	160.00	CS	117,136
27	Niobrara	<u>T39N R63W</u> Sec 3 L4	41.62	IA	117,136
28	Niobrara	<u>T39N R63W</u> Sec 3 S2NW	80.00	CS	117,136
29	Niobrara	<u>T39N R63W</u> Sec 4 SENE:NESE	80.00	CS	117,136
30	Niobrara	<u>T39N R63W</u> Sec 5 L3	40.71	DD	117,136
31	Niobrara	<u>T39N R63W</u> Sec 7 NWSE	40.00	IA	117,136
32	Niobrara	<u>T39N R63W</u> Sec 11 E2NE	80.00	CS	136
33	Niobrara	<u>T39N R63W</u> Sec 12 NE:S2NW	240.00	CS	117,136
34	Niobrara	<u>T40N R63W</u> Sec 16 ALL	640.00	CS	136
35	Niobrara	<u>T40N R63W</u> Sec 33 E2SW:SWSW	120.00	CS	117,136
36	Niobrara	<u>T40N R63W</u> Sec 34 W2SW	80.00	IA	117,136
37	Niobrara	<u>T40N R63W</u> Sec 36 ALL	640.00	CS	136
38	W Laramie	<u>T13N R64W</u> Sec 16 ALL	640.00	CS	136

39		Laramie	<u>T13N R64W</u> Sec 26 E2:SW	480.00	FL	136
40		Laramie	<u>T13N R64W</u> Sec 28 SE	160.00	FL	136
41		Laramie	<u>T13N R64W</u> Sec 36 N2	320.00	CS	136
42		Goshen	<u>T22N R64W</u> Sec 3 SWNW:NWSW	80.00	CS	5,117,136
43		Goshen	<u>T22N R64W</u> Sec 18 SESW:SWSE Sec 19 NWNE:NENW	160.00	CS	5,136
44		Goshen	<u>T25N R64W</u> Sec 9 NE:W2SE	240.00	FL	136
45		Goshen	<u>T25N R64W</u> Sec 16 ALL	640.00	FL	136
46		Goshen	<u>T25N R64W</u> Sec 36 ALL	640.00	CS	136
47		Niobrara	<u>T39N R64W</u> Sec 16 ALL	640.00	CS	136
48		Niobrara	<u>T39N R64W</u> Sec 36 ALL	640.00	CS	117,136
49	W	Laramie	<u>T13N R65W</u> Sec 10 ALL	640.00	CS	136
50	W	Laramie	<u>T13N R65W</u> Sec 32 ALL	640.00	CS	117,136
51		Laramie	<u>T14N R65W</u> Sec 2 S2NE:L1:L2	159.41	PB	136

52	Laramie	<u>T14N R65W</u> Sec 8 N2	320.00	PB	136
53	Laramie	<u>T14N R65W</u> Sec 12 NE	160.00	PB	136
54	Laramie	<u>T14N R65W</u> Sec 14 W2NW	80.00	PB	136
55	Platte	<u>T22N R65W</u> Sec 9 S2NE:NWSE:NESW	160.00	CS	136
56	Niobrara	<u>T37N R65W</u> Sec 36 ALL	640.00	CS	117,136,138
57	Laramie	<u>T13N R66W</u> Sec 22 SENE:SWNW	80.00	PB	136
58	Laramie	<u>T13N R66W</u> Sec 34 S2:S2N2	480.00	PB	136
59	Laramie	<u>T12N R67W</u> Sec 12 N2:SW	480.00	UN	136
60	Laramie	<u>T13N R67W</u> Sec 8 N2N2	160.00	PB	5,136
61	Laramie	<u>T13N R67W</u> Sec 18 N2NE:E2NW:L1:L2:L3:L4	308.72	PB	136
62	Laramie	<u>T13N R67W</u> Sec 20 S2	320.00	CS	136
63	Laramie	<u>T13N R67W</u> Sec 20 N2	320.00	UN	136
64	W Laramie	<u>T13N R67W</u> Sec 30 E2:E2W2:L1:L2	532.68	PB	136

65	Laramie	<u>T13N R67W</u> Sec 36 ALL	640.00	CS	117,136
66	Laramie	<u>T19N R67W</u> Sec 16 ALL	640.00	CS	5,136
67	Laramie	<u>T19N R67W</u> Sec 29 ALL	640.00	FL	5,136
68	Platte	<u>T23N R67W</u> Sec 17 SE	160.00	CA	136
69	Platte	<u>T23N R67W</u> Sec 19 SENE:NESE	80.00	CA	136
70	Platte	<u>T23N R67W</u> Sec 30 SE:SENE:SESW:L4	276.14	CA	53,136
71	Platte	<u>T23N R67W</u> Sec 31 W2SE:NESE	120.00	CA	5,136
72	Platte	<u>T23N R67W</u> Sec 31 NENW:L1:L2:L3	148.65	CA	5,136
73	Laramie	<u>T12N R68W</u> Sec 12 S2:S2N2	480.00	CS	136
74	Laramie	<u>T12N R68W</u> Sec 14 N2:NWSW	360.00	CS	136
75	Laramie	<u>T15N R68W</u> Sec 12 S2	320.00	FL	136
76	Laramie	<u>T15N R68W</u> Sec 16 ALL	640.00	CS	136
77	Laramie	<u>T15N R68W</u> Sec 36 ALL	640.00	CS	136

78	Laramie	<u>T16N R68W</u> Sec 36 ALL	640.00	CS	136
79	Laramie	<u>T19N R68W</u> Sec 31 NENW:L1:L2	106.48	CS	5,136
80	Laramie	<u>T19N R68W</u> Sec 32 NENE	40.00	CS	5,117,136
81	Platte	<u>T23N R68W</u> Sec 35 S2	320.00	CS	5,136
82	Converse	<u>T36N R68W</u> Sec 16 N2:SE:E2SW:SWSW	600.00	CS	136
83	Converse	<u>T37N R68W</u> Sec 36 ALL	640.00	CS	117,136
84	Laramie	<u>T12N R69W</u> Sec 6 SENE:L1:L2	131.65	CS	117,136
85	Laramie	<u>T12N R69W</u> Sec 16 ALL	640.00	CS	117,136
86	Laramie	<u>T12N R69W</u> Sec 22 L1:L2	58.75	CS	136
87	Laramie	<u>T13N R69W</u> Sec 36 ALL	640.00	CS	117,136
88	Laramie	<u>T15N R69W</u> Sec 36 ALL	640.00	CS	136
89	Laramie	<u>T19N R69W</u> Sec 2 NWSW	40.00	CS	5,117,136
90	Laramie	<u>T19N R69W</u> Sec 11 NENW	40.00	CS	5,136

91	Laramie	<u>T19N R69W</u> Sec 22 NE	160.00	AG	5,121,136
92	Laramie	<u>T19N R69W</u> Sec 25 N2SE	80.00	CS	5,117,136
93	Laramie	<u>T19N R69W</u> Sec 26 SESW	40.00	CS	5,136
94	Laramie	<u>T19N R69W</u> Sec 26 SE	160.00	AG	5,117,136
95	Laramie	<u>T19N R69W</u> Sec 30 L1	35.61	CS	5,117,136
96	Laramie	<u>T19N R69W</u> Sec 35 N2NW:NWNE	120.00	CS	5,136
97	Laramie	<u>T19N R69W</u> Sec 36 ALL	640.00	CS	5,136
98	Converse	<u>T33N R69W</u> Sec 29 SESW	40.00	CS	136,137,138,139
99	Converse	<u>T33N R69W</u> Sec 32 E2SE:W2NE:NENW:NWSE	240.00	CS	117,136,137,138,139
100	Campbell	<u>T54N R69W</u> Sec 16 ALL	640.00	CS	117,136,137,139
101	Campbell	<u>T52N R70W</u> Sec 1 W2SE:SWNE:L2	159.07	CS	117,127,136
102	Campbell	<u>T56N R70W</u> Trt 41(formerly Sec 16 All)	640.00	CS	127,136
103	Converse	<u>T40N R71W</u> Sec 36 ALL	640.00	CS	127,136

104	W	Campbell	<u>T50N R71W</u> Sec 7 E2SE	80.00	CS	136
105		Campbell	<u>T50N R71W</u> Sec 8 NW:NWSW	200.00	CS	127,136
106		Converse	<u>T36N R72W</u> Sec 9 NENW	40.00	CS	117,136
107		Converse	<u>T38N R72W</u> Sec 11 NWSE:NESW	80.00	CS	136,138
108		Converse	<u>T38N R72W</u> Sec 20 SWSE	40.00	CS	136,138
109		Converse	<u>T38N R72W</u> Sec 29 NWNE	40.00	CS	117,136
110		Converse	<u>T38N R72W</u> Sec 35 SWSE	40.00	CS	136,138
111		Converse	<u>T38N R72W</u> Sec 36 ALL	640.00	CS	136,138
112		Converse	<u>T39N R72W</u> Sec 2 S2SW Sec 11 N2NW	160.00	CS	117,136
113		Converse	<u>T39N R72W</u> Sec 20 SENW	40.00	CS	127,136
114		Converse	<u>T40N R72W</u> Sec 31 SWSE:SESW:L4	126.93	CS	117,136
115		Converse	<u>T40N R72W</u> Sec 31 SWNE:SENW:L2	127.40	CS	117,136
116		Campbell	<u>T54N R72W</u> Sec 9 SESW	40.00	CS	136

117		Campbell	<u>T42N R73W</u> Sec 3 L4	38.78	CS	117,127,136
118		Campbell	<u>T42N R73W</u> Sec 21 NESW	40.00	CS	127,136
119		Converse	<u>T35N R74W</u> Sec 24 NESE	40.00	CS	127,136
120		Converse	<u>T37N R75W</u> Sec 36 N2:SE	480.00	CS	127,136
121		Converse	<u>T40N R75W</u> Sec 8 NESE	40.00	CS	127,136
122		Converse	<u>T40N R75W</u> Sec 8 NWSW	40.00	CS	127,136
123		Converse	<u>T40N R76W</u> Sec 21 N2NW:SWNW:NWSW	160.00	CS	117,136
124		Albany	<u>T18N R77W</u> Sec 16 ALL	640.00	CS	5,117,136
125		Albany	<u>T18N R77W</u> Sec 36 ALL	640.00	CS	5,117,136
126		Converse	<u>T37N R77W</u> Sec 36 ALL	640.00	CS	136,137,139
127		Natrona	<u>T39N R77W</u> Sec 19 NESW	40.00	CS	136
128		Converse	<u>T40N R77W</u> Sec 36 ALL	640.00	CS	136
129	W	Johnson	<u>T44N R78W</u> Sec 16 E2:SESW:L1:L2:L3:L4:L5:L6:L7:L8	646.71	CS	117,136,137

130	Natrona	<u>T35N R79W</u> Sec 36 ALL	640.00	CS	117,136
131	Johnson	<u>T46N R79W</u> Sec 36 NE	160.00	CS	136,137,139
132	Johnson	<u>T47N R79W</u> Sec 36 ALL	640.00	CS	136,137,139
133	Johnson	<u>T45N R80W</u> Sec 16 ALL	640.00	CS	117,136,137,139
134	Johnson	<u>T45N R80W</u> Sec 36 ALL	640.00	CS	136,137,139
135	Johnson	<u>T46N R80W</u> Sec 16 ALL	640.00	CS	117,136,137,139
136	Johnson	<u>T46N R80W</u> Sec 25 SE:S2SW	240.00	SR	117,136,137,139
137	Johnson	<u>T46N R80W</u> Sec 36 ALL	640.00	CS	136,137,139
138	Johnson	<u>T47N R80W</u> Sec 36 ALL	640.00	CS	117,136,137,139
139	Johnson	<u>T45N R81W</u> Sec 36 ALL	640.00	CS	117,136,137,139
140	Johnson	<u>T46N R81W</u> Sec 16 ALL	640.00	CS	136,137,139
141	Johnson	<u>T46N R81W</u> Sec 36 ALL	640.00	CS	117,136,137,139
142	Johnson	<u>T47N R81W</u> Sec 16 ALL	640.00	CS	136,137,139

143	Johnson	<u>T47N R81W</u> Sec 18 E2W2:L1:L2:L3:L4	307.68	CS	136,137,139
144	Johnson	<u>T47N R81W</u> Sec 19 NENW:L1:L2	113.87	CS	136,137,139
145	Johnson	<u>T48N R82W</u> Sec 27 NE	160.00	CS	136
146	Washakie	<u>T44N R89W</u> Sec 16 ALL	640.00	CS	5,136,137,139
147	Carbon	<u>res T13N R90W</u> Trt 37 (formerly lot 7 Sec 6)	38.08	CS	5,127,136
148	Carbon	<u>T14N R90W</u> Sec 21 NWNE	40.00	CS	136,137,139
149	Carbon	<u>T14N R91W</u> Sec 32 W2NE:SENE	120.00	CS	5,117,136
150	Carbon	<u>T14N R91W</u> Sec 36 ALL	640.00	CS	5,117,127,136
151	Fremont	<u>T37N R91W</u> Sec 19 S2	320.00	CS	5,117,136,138
152	Fremont	<u>T37N R91W</u> Sec 20 E2:SW	480.00	CS	5,117,136,138
153	Fremont	<u>T37N R91W</u> Sec 21 W2:SE	480.00	CS	5,117,136,138
154	Hot Springs	<u>T42N R91W</u> Sec 9 S2NE	80.00	CS	5,117,136,137,139
155	Hot Springs	<u>T42N R91W</u> Sec 10 S2NW	80.00	CS	5,136,137,139

156	Hot Springs	<u>T42N R91W</u> Sec 16 ALL	640.00	CS	5,117,136,137,139
157	Fremont	<u>T37N R92W</u> Sec 23 N2	320.00	CS	5,117,136
158	Fremont	<u>T37N R92W</u> Sec 24 SE	160.00	CS	5,117,136
159	Fremont	<u>T37N R92W</u> Sec 24 N2	320.00	CS	5,117,136
160	Washakie	<u>T47N R92W</u> Sec 16 E2	320.00	CS	136
161	Washakie	<u>T47N R92W</u> Sec 36 N2:SE:E2SW	560.00	CS	5,136
162	Fremont	<u>T28N R93W</u> Sec 36 ALL	640.00	CS	136,137,139
163	Washakie	<u>T45N R93W</u> Sec 16 ALL	640.00	CS	5,136,137,139
164	Washakie	<u>T45N R93W</u> Sec 36 ALL	640.00	CS	5,136,137,139
165	Washakie	<u>T46N R93W</u> Sec 3 Lots 11-12 Sec 10 Lot 1	90.92	SR	5,136
166	Washakie	<u>T46N R93W</u> Sec 16 Lots 1-2	70.98	SR	5,136
167	Washakie	<u>T46N R93W</u> Sec 20 Lots 1-4 Sec 21 Lot 1	131.57	SR	5,136
168	Washakie	<u>T45N R94W</u> Sec 15 NENW	40.00	CA	5,136

169		Washakie	<u>T46N R94W</u> Sec 16 ALL	640.00	CS	5,117,136
170		Washakie	<u>T47N R94W</u> Sec 16 ALL	640.00	CS	127,136
171		Washakie	<u>T45N R95W</u> Sec 3 Lots 19,20 Sec 2 SWSW	117.28	SR	5,136,137,139
172		Washakie	<u>T45N R95W</u> Sec 11 L1:L2	78.06	SR	5,117,136,137,139
173		Washakie	<u>T45N R95W</u> Sec 16 ALL	640.00	CS	5,136,137,139
174		Hot Springs	<u>T45N R95W</u> Sec 36 W2	320.00	CS	5,117,136
175	W	Hot Springs	<u>T45N R95W</u> Sec 36 ALL	640.00	CS	5,117,136
176		Washakie	<u>T46N R95W</u> Sec 16 ALL	640.00	CS	117,136,137,139
177		Washakie	<u>T46N R95W</u> Sec 36 S2	320.00	CS	136,137,139
178		Washakie	<u>T47N R95W</u> Sec 16 ALL	640.00	CS	5,117,136,137,139
179		Washakie	<u>T47N R95W</u> Sec 36 ALL	640.00	CS	5,117,136,137,139
180		Washakie	<u>T46N R96W</u> Sec 16 ALL	640.00	CS	5,136,137,139
181		Washakie	<u>T46N R96W</u> Sec 36 ALL	640.00	CS	136,137,139

182		Washakie	<u>T47N R97W</u> Sec 36 ALL	640.00	CS	5,57,117,127,136
183	W	Washakie	<u>T48N R97W</u> Sec 16 ALL	640.00	CS	5,127,136
184		Washakie	<u>T48N R97W</u> Sec 36 ALL	640.00	CS	117,127,136
185		Hot Springs	<u>T47N R99W</u> Sec 16 ALL	640.00	CS	5,127,136
186		Hot Springs	<u>T45N R100W</u> Sec 16 ALL	640.00	CS	5,117,136
187		Park	<u>res T53N R100W</u> Lot 50 (formerly Sec 16 All)	639.28	CS	127,136
188		Park	<u>T56N R100W</u> Lot 37 (formerly Sec 36 All)	640.00	CS	136
189		Park	<u>T57N R101W</u> Sec 36 ALL	640.00	CS	136
190		Park	<u>T58N R101W</u> Sec 36 ALL	640.00	CS	136,137,139
191		Park	<u>T57N R102W</u> Sec 16 ALL	640.00	CS	127,136
192		Park	<u>T57N R102W</u> Sec 36 ALL	640.00	CS	127,136
193		Park	<u>T58N R102W</u> Sec 16 S2S2:L1:L2:L3:L4	226.00	CS	136
194		Park	<u>T58N R102W</u> Sec 36 ALL	640.00	CS	117,136

195	Sweetwater	<u>T24N R110W</u> Sec 16 ALL	640.00	CS	117,136,137,139
196	Sweetwater	<u>T24N R110W</u> Sec 36 N2:N2S2:L1:L2:L3:L4	643.00	CS	94,96,117,136,137,139
197	Sweetwater	<u>T26N R110W</u> Sec 36 ALL	640.00	CS	136
198	Sweetwater	<u>T26N R111W</u> Sec 36 ALL	640.00	CS	117,136
199	Sublette	<u>T27N R111W</u> Sec 36 N2:N2S2:L1:L2:L3:L4	635.44	CS	127,136
200	Lincoln	<u>T20N R114W</u> Sec 36 ALL	640.00	CS	127,136
201	Uinta	<u>T17N R117W</u> Sec 16 W2	320.00	CS	5,117,136,137,139
202	Uinta	<u>T17N R117W</u> Sec 36 ALL	640.00	CS	5,136
203	Uinta	<u>T17N R118W</u> Sec 16 ALL	640.00	CS	5,117,136,137,139
204	Uinta	<u>T17N R118W</u> Sec 36 ALL	640.00	CS	5,127,136,137,139
205	Laramie	<u>T19N R67W</u> Sec 26 SENE:NESE	80.00	CS	117,136
206	Converse	<u>T31N R69W</u> Sec 36 ALL	640.00	CS	5,117,136
207	Washakie	<u>T44N R92W</u> Sec 13 NESE	40.00	CS	5,136,139

208	Washakie	<u>T44N R92W</u> Sec 16 ALL	640.00	CS	5,136,139
209	Hot Springs	<u>T44N R93W</u> Sec 16 ALL	640.00	CS	5,117,136,127
210	Hot Springs	<u>T44N R94W</u> Sec 16 N2:SE	480.00	CS	5,117,136
211	Hot Springs	<u>T44N R95W</u> Sec 16 ALL	640.00	CS	136
212	Hot Springs	<u>T44N R98W</u> Sec 16 ALL	640.00	CS	5,117,136,139

Stipulation Definitions

5 - Wyoming Game and Fish

Resource issue: Big Game crucial winter range.

This lease is issued subject to and conditioned upon lessee's acknowledgement and agreement that any exploration and development activities undertaken shall:

- 1) avoid human activity in Big Game crucial winter range from November 15 to April 30; or
- 2) In the alternative, exploration and development activities shall be subject to approval by the Director of the Office of State Lands & Investments. Director approval will be subject to consultation with Wyoming Game & Fish Department to consider alternative practices/plan of development that will provide similar resource protection and mitigation.

53 - State Lands & Investments

Restrictive Easement (Clear Zone): US has right to prohibit the use of firearms and explosives; the right to limit the use for the exploration, production and removal of oil, gas and other mineral operations, furthermore any proposed mining activity whether tunnel or open pit type must have approval of the Air Force Officer in charge. Missile Site Proper: The missile site of 1.37 acres is owned Fee Simple by the USA; excepting and reserving to the state all oil, gas and other minerals, but without the right to mine or remove any solid minerals, or to enter upon the surface of said land or for a depth of 500 feet below said surface for the purpose of drilling, extracting, or exploring for oil and gas, or for any other purpose, and in no event will explosives be used in any oil and gas operations

57 - State Hist. Pres.Org.

Resource issue: Standard Cultural Resources.

This parcel is known to contain certain Prehistoric/cultural/Native American or pioneer family resources and is subject to W.S. 36-1-114 through 116 and the Rules of the Board of Land Commissioners, Chapter 18 Section 3(h) and as such, lessee/operator should confirm the location of such resources with the State SHPO prior to any surface disturbing activities. Development plans on this parcel may be restricted or prohibited unless the lessee and/or operator and the Office of State Lands and Investments, in consultation with the State SHPO, agree upon an acceptable plan for the mitigation of possible impacts to the known resources pursuant to the protection of those resource values. Compliance failure with this stipulation will result in loss of lease and potential action at law.

94 - State Hist. Pres.Org.

Surface occupancy or use within ¼ mile or visual horizon of the Oregon Trail, whichever is closer, may be restricted or prohibited unless the lessee and/or operator and Office of State Lands and Investments, in consultation with the Wyoming State Historic Preservation Office, agree upon an acceptable plan for mitigation of possible impacts to the trail pursuant to protection of the cultural and scenic values of the trail. Compliance failure with this stipulation will result in loss of lease and potential action at law.

96 - State Hist. Pres.Org.

Standard cultural resources Slate Creek Cutoff. Surface occupancy or use within ¼ mile or visual horizon of the Slate Creek Cutoff, whichever is closer, may be restricted or prohibited unless the lessee and/or operator and Office of State Lands and Investments, in consultation with the Wyoming State Historic Preservation Office, agree upon an acceptable plan for mitigation of possible impacts to the trail pursuant to protection of the cultural and scenic values of the trail. Compliance failure with this stipulation will result in loss of lease and potential action at law.

117 - Wyoming Game and Fish

Streams and Lake Buffer

This lease is issued subject to and conditioned upon lessee's acknowledgement and agreement that any exploration and development activities undertaken shall:

- 1) provide a 300-foot buffer on both sides of streams that go through a lease parcel, a 300 foot-foot buffer from the high watermark on all sides of any lake contained within the parcel, and provide protection for riparian zones; or
- 2) in the alternative, exploration and development activities shall be subject to approval by the Director of the Office of State Lands and Investments, subject to the Director's consultation with the Wyoming Game & Fish Department regarding alternative practices and/or plans of development which provide similar resource protection and mitigation.

121 - State Lands & Investments

State Lands and Investments: Resource Issue: Wind Power

State Mineral Lease Stipulations for All Mineral Leases Issued with an Existing Wind Farm/Wind Generation Lease in Place

All State of Wyoming oil and gas, solid mineral and sand and gravel leases proposed for issue or issued where an existing wind energy lease pre-dates same shall contain the following stipulation language:

A pre-dated wind energy lease exists on the surface of this parcel/lease/property and as such, any party granted a mineral lease hereon shall use the surface of this parcel/lease/property in a manner that reasonably accommodates the enjoyment of, and avoids impairment of, the pre-existing wind energy lease .

Lessee shall limit any drilling, mining or other extraction activity for the production of leased minerals from the parcel/lease/property to occur only in those areas on the surface of the parcel/lease/property that are at least five-hundred (500) feet from any wind turbine generator or proposed wind turbine generator of the wind lessee on the property.

Lessee shall avoid contact with, damage or impairment of any existing wind energy surface or subsurface lines/installations by notifying the existing wind energy lessee regarding the location of any proposed subsurface drilling/mining/extraction site(s)/area (s) prior to beginning operations under this mineral lease.

127 - Wyoming Game and Fish

Resource issue: Sage grouse leks and/or suitable nesting, brood-rearing.

"This lease is issued subject to and conditioned upon lessee's acknowledgement and agreement that any exploration and development activities undertaken shall:

- 1) avoid surface disturbance or occupancy within ¼-mile of the perimeter of occupied sage grouse leks;
- 2) avoid human activity between 8:00 PM and 8: AM from March 1 thru May 15 within ¼-mile of the perimeter of occupied sage grouse leks;
- 3) avoid surface disturbing activities and geophysical surveys in suitable sage grouse nesting and early brood-rearing habitat within 2 miles of an occupied lek or in identified sage grouse nesting from May 15 to July 15; and
- 4) in the alternative, exploration and development activities shall be subject to approval by the Director of the Office of State Lands and Investments, subject to the Director's consultation with the WGFD regarding alternative practices and/or plans of development providing similar resource protection and mitigation

135 - State Lands and Investments

The State of Wyoming owns 50% of mineral interest.

136 - Resource Issue: aquatic invasive species

Resource Issue: aquatic invasive species Resource Issue: Prevent spread of aquatic invasive species – To prevent the spread of aquatic invasive species (AIS) we recommend the following guidelines outlined in the Aquatic Invasive Species in Wyoming brochure, which can be found at the following website:<http://gf.state.wy.us/fish/AIS/index.asp>. If equipment has been used in an area known to contain aquatic invasive species, the equipment will need to be inspected by an authorized aquatic invasive species inspector certified in the state of Wyoming prior to its use in any Wyoming water. If aquatic invasive species are found, the equipment will need to be decontaminated."

137 - Permitting Process and Stipulations For Development in Sage-Grouse Core Areas

PERMITTING PROCESS

Point of Contact: The first point of contact for addressing sage-grouse issues in any permit application should be the Wyoming Game and Fish Department (WGFD). Project proponents (proponents) need to have a thorough description of their project and identify the potential effects on sage-grouse prior to submitting an application to the permitting agency (details such as a draft project implementation area analysis, habitat maps and any other information will help to expedite the project). Project proponents should contact WGFD at least 45-60 days prior to submitting their application. More complex projects will require more time. It is understood that WGFD has a role of consultation, recommendation, and facilitation, and has no authority to either approve or deny the project. The purpose of the initial consultation with the WGFD is to become familiar with the project proposal and ensure the project proponent understands recommended stipulations and stipulation implementation process.

Maximum Disturbance Process: All activities will be evaluated within the context of maximum allowable disturbance (disturbance percentages, location and number of disturbances) of suitable sage-grouse habitat (See Appendix A for definition of suitable sage-grouse habitat and disturbance of suitable sage-grouse habitat) within the area affected by the project. The maximum disturbance allowed will be analyzed via a Project Impact Analysis Area (PIAA) process conducted by the Federal Land Management Agency on federal Land and the project proponent on non-federal (private, state) land. Unsuitable habitat occurring within the project area will not be included in the disturbance cap calculations.

1. **Project impact analysis area (PIAA) delineation:**

Determine all leks that may be affected by the project by placing a four-mile boundary around the project boundary (as defined by the proposed area of disturbance related to the project). All occupied leks located within the four-mile boundary will be considered affected by the project.

A four-mile boundary will then be placed around the perimeter of each affected lek. The area within the boundary of affected leks and the project boundary creates the PIAA for each individual project. Disturbance will be analyzed for the PIAA as a whole and for each individual affected lek within the PIAA. Any portion of the PIAA occurring outside of core area will be removed from the analysis.

2. **Disturbance analysis:** Total disturbance acres within the PIAA will be determined through an evaluation (Appendix A) of:

- a. Existing disturbance (sage-grouse habitat that is disturbed due to existing anthropogenic activity and wildfire).
- b. Approved permits (that have approval for on the ground activity) not yet implemented.

3. **Habitat Assessment:** A habitat assessment will be conducted to create a baseline survey identifying:

- a. Suitable and unsuitable habitat within the PIAA
- b. Sage-grouse use of suitable habitat (seasonal, densities, etc)
- c. Priority restoration areas (which could reduce 5% cap)
 - i. Areas where plug and abandon activities will eliminate disturbance
 - ii. Areas where old reclamation has not produced suitable habitat
- d. Areas of invasive species
- e. Other assurances in place (CCAA, easements, habitat contracts, etc.)

4. **Determination of existing and allowable suitable habitat disturbance:**

Acres of disturbance within suitable habitat divided by the total suitable habitat within the PIAA times 100 equals the percent of disturbed suitable habitat within the PIAA. Subtracting the percentage of existing disturbed suitable habitat from 5% equals new allowable suitable habitat disturbance until plant regeneration or reclamation reduces acres of disturbed habitat within the PIAA.

Permitting: The complete analysis package developed by consultation and review outlined herein will be forwarded to the appropriate permitting agency. Wyoming Game and Fish Department recommendations will be included, as will other recommendations from project proponents and other appropriate agencies.

Excepted Activities: A list of "deminimus" activities, including standard uses of the landscape, is being developed and will be completed by 01 July 2010 as further guidance for these recommendations.

GENERAL STIPULATIONS

These stipulations are designed to maintain existing suitable sage-grouse habitat by permitting development activities in core

areas in a way that will not cause declines in sage-grouse populations. General stipulations are recommended to apply to all activities in core areas, with the exception of de minimus actions defined herein or specifically identified activities. The specific industry stipulations are considered in addition to the general stipulations.

1. **Surface Disturbance:** Surface disturbance will be limited to 5% of suitable sage-grouse habitat per an average of 640 acres. The PIAA process will be used to determine the level of disturbance. Distribution of disturbance may be considered and approved on a case-by-case basis. Unsuitable habitat should be identified in a seasonal and landscape context, on a case-by-case basis, outside the 0.6 mile buffer around leks. This will incentivize proponents to locate projects in unsuitable habitat to avoid creating additional disturbance acres. Acres of development in unsuitable habitat are not considered disturbance acres. The primary focus should be on protection of suitable habitats and protecting from habitat fragmentation. See Appendix A for a description of suitable, unsuitable habitat and disturbance.
2. **Surface Occupancy:** Within 0.6 miles of the perimeter of occupied sage-grouse leks there will be no surface occupancy (NSO). NSO, as used in these recommendations, means no surface facilities including roads shall be placed within the NSO area. Other activities may be authorized with the application of appropriate seasonal stipulations, provided the resources protected by the NSO are not adversely affected. For example, underground utilities may be permissible if installation is completed outside applicable seasonal stipulation periods and significant resource damage does not occur. Similarly, geophysical exploration may be permissible in accordance with seasonal stipulations.
3. **Seasonal Use:** Activity (production and maintenance activity exempted) will be allowed from July 1 to March 14 outside of the 0.6 mile perimeter of a lek in core areas where breeding, nesting and early brood-rearing habitat is present. In areas used solely as winter concentration areas, exploration and development activity will be allowed March 14 to December 1. Activities in unsuitable habitat may also be approved year-round (including March 15-June 30) on a case-by-case basis (except in specific areas where credible data shows calendar deviation). Activities may be allowed during seasonal closure periods as determined on a case-by-case basis.
4. **Transportation:** Locate main roads used to transport production and or waste products > 1.9 miles from the perimeter of occupied sage-grouse leks. Locate other roads used to provide facility site access and maintenance > 0.6 miles from the perimeter of occupied sage-grouse leks. Construct roads to minimum design standards needed for production activities.
5. **Overhead Lines:** Bury lines when possible, if not; locate overhead lines at least 0.6 miles from the perimeter of occupied sage-grouse leks. New lines should be raptor proofed if not buried.
6. **Noise:** Limit new noise levels to 10 dBA above ambient noise (existing activity included) measured at the perimeter of a lek from 6 PM to 8 AM during initiation of breeding (March 1 to May 15). Actual thresholds may be adjusted upon completion of current research being conducted in core habitat.
7. **Vegetation Removal:** Vegetation removal should be limited to the minimum disturbance required by the project. All topsoil stripping and vegetation removal in suitable habitat will occur between July 1 and March 14 in areas that are within 4.0 miles of an occupied lek. Initial disturbance in unsuitable habitat between March 15 and June 30 may be approved on a case-by-case basis.
8. **Sagebrush Treatment:** Sagebrush eradication is considered disturbance and will contribute to the 5% disturbance factor. Sagebrush treatments that maintain sagebrush canopy cover at or above 15% total canopy cover within the treated acres will not be considered disturbance. Treatments that reduce sagebrush canopy cover below 15% will be allowed if all such treated areas make up less than 20% of the suitable sagebrush habitat within the PIAA, and any point within the treated area is within 60 meters of sagebrush habitat with 10% or greater canopy cover. Treatments to enhance sagebrush grassland will be evaluated based upon the existing habitat quality and the functional level post-treatment.
9. **Monitoring adaptive response:** For all activities allowed in Core Areas, sage-grouse monitoring will be conducted to evaluate the response of the affected populations (PIAA identified leks) to the permitted activity. Monitoring plans will be coordinated and modified by the permitting agency with input from WGFD. Monitoring will include the evaluation of affected leks and at least three reference leks (one control area) outside the PIAA. If declines in affected leks (using a three-year running average during any five-year period relative to trends on reference leks) are determined to be caused by the project, the operator will propose adaptive management responses to increase the number of birds. If the operator cannot demonstrate a restoration of bird numbers to baseline levels (established by pre-disturbance surveys, reference surveys and taking into account regional and statewide trends) within three years, operations will cease until such numbers are achieved.
10. **Reclamation:** Reclamation should re-establish native grasses, forbs and shrubs during interim and final reclamation to achieve cover, species composition, and life form diversity commensurate with the surrounding plant community or desired ecological condition to benefit sage-grouse and replace or enhance sage-grouse habitat to the degree that environmental

conditions allow. Seed mixes should include 2 native forbs and 2 native grasses with at least one bunchgrass species. Where sagebrush establishment is prescribed, establishment is defined as meeting the standard prescribed in the individual reclamation plan. Landowners should be consulted on desired plant mix on private lands. The operator is required to control noxious and invasive weed species, including cheatgrass. Rollover credit, if needed, will be outlined in the individual project reclamation plan.

Credit may be given for completion of habitat enhancements on bond released or other minimally functional habitat when detailed in a plan. These habitat enhancements may be used as credit for reclamation that is slow to establish in order to maintain the disturbance cap or to improve nearby sage-grouse habitat.

11. Existing Activities: Areas already disturbed or approved for development within Core Areas prior to Executive Order 2008-02 are not subject to new sage-grouse stipulations with the exception existing operations may not initiate activities resulting in new surface occupancy within 0.6 mile of the perimeter of a sage-grouse lek. Any existing disturbance will be counted toward the calculated disturbance cap for a new proposed activity. The level of disturbance for existing activity and rollover credit may exceed 5%.

12. Exceptions: Any exceptions to these general or specific stipulations will be considered on a case by case basis and must show that the exception will not cause declines in sage-grouse populations.

SPECIFIC STIPULATIONS (To be applied in addition to general stipulations)

1. Oil and Gas: Well pad densities not to exceed an average of 1 pad per square mile (640 acres) and suitable habitat disturbed not to exceed 5% of suitable habitat within the PIAA. As an example, the number of well pads within a 2 mile radius of the perimeter of an occupied sage-grouse lek should not exceed 11, distributed preferably in a clumped pattern in one general direction from the lek.

2. Mining

a. For development drilling or ore body delineation drilled on tight centers, (approximately 100'X100') the disturbance area will be delineated by the external limits of the development area. Assuming a widely-spaced disturbance pattern, the actual footprint will be considered the disturbance area.

b. Monitoring results will be reported annually in the mine permit annual report and to WGFD. Pre-disturbance surveys will be conducted as required by the appropriate regulatory agency.

c. The number of active mining development areas (e.g. operating equipment and significant human activity) are not to exceed an average of 1 site per square mile (640 acres) within the PIAA.

d. Surface disturbance and surface occupancy stipulations will be waived within the Core Area when implementing underground mining practices that are necessary to protect the health, welfare, and safety of miners, mine employees, contractors and the general public. The mining practices include but are not limited to bore holes or shafts necessary to 1) provide adequate oxygen to an underground mine, 2) supply inert gases or other substances to prevent, treat, or suppress combustion or mine fires 3) inject mine roof stabilizing substances and 4) remove methane from mining areas. Any surface disturbance or surface occupancy necessary to access the sites to implement these mining practices will also be exempt from any stipulation.

e. Coal mining operations will be allowed to continue under the regulatory and permit-specific terms and conditions authorized under the federal Surface Mining Control and Reclamation Act.

3. Connectivity:

a. The suspension of federal and state leases in connectivity corridors is encouraged where there is mutual agreement by the leasing agency and the operator. These suspensions should be allowed until additional information clarifies their need. Where suspensions cannot be accommodated, disturbance should be limited to more than five percent (5%) (up to 32 acres) per 640 acres of suitable sage-grouse habitat within connectivity corridors.

b. For protection of connectivity corridors, a controlled surface use (CSU) buffer of 0.6 miles around leks or their documented perimeters is required. In addition, a March 15 – June 30 timing limitation stipulation is required within nesting habitat within 4 miles of leks.

4. Process Deviation or Undefined Activities: Development proposals incorporating less restrictive stipulations or development that is not covered by these stipulations may be considered depending on site-specific circumstances and the proponent must have data demonstrating that the alternative development proposal will not cause declines in sage-grouse populations in the core area. Proposals to deviate from standard stipulations will be considered by a team including WGFD and the appropriate land management and permitting agencies, with input from the U.S. Fish and Wildlife Service. Project proponents need to demonstrate that the project development would meet at least one of the following conditions:
 - a. No suitable habitat is present in one contiguous block of land that includes at least a 0.6-mile buffer between the project area and suitable habitat;
 - b. No sage-grouse use occurs in one contiguous block of land that includes at least a 0.6 mile buffer between the project area and adjacent occupied habitat, as documented by total absence of sage-grouse droppings and an absence of sage-grouse activity for the previous ten years;
 - c. Provision of a development mitigation plan that has been implemented and demonstrated by previous research not to cause declines in sage-grouse populations. The demonstration must be based on monitoring data collected and analyzed with accepted scientific based techniques.
5. Wind Development: Wind development is not recommended in sage-grouse core areas.

Appendix A Suitable Sage-Grouse Habitat Definition

Sage-grouse require somewhat different seasonal habitats distributed over large areas to complete their life cycle. All of these habitats consist of, are associated with, or are immediately adjacent to, sagebrush. If sage-grouse seasonal habitat use maps do not exist for the project site the following description of suitable habitat should be used to determine areas of unsuitable sage grouse habitat for development siting purposes. An abbreviated description of a complex system cannot incorporate all aspects of, or exceptions to, what habitats a local sage-grouse population may or may not utilize. The references provided below will assist where more detailed site evaluations are required.

Suitable sage-grouse habitat (nesting, breeding, brood-rearing, or winter) is within the mapped occupied range of sage-grouse, and:

- 1) has 5% or greater sagebrush canopy cover as measured by the technique developed by interagency efforts. Sagebrush includes all species and sub-species of the genus *Artemisia* except the mat-forming sub-shrub species: *frigida* (fringed) and *pedatifida* (birdfoot)."; or
- 2) is riparian, wet meadow (native or introduced) or areas of alfalfa or other suitable forbs (brood rearing habitat) within 60 meters of sagebrush habitat with 10% or greater canopy cover and the early brood rearing habitat does not exceed 20% of the suitable sagebrush habitat present within the PIAA, Larger riparian wet meadow, and grass forb producing areas may be considered suitable habitat as determined on a case by case basis, or
- 3) is a burned or treated sagebrush site being managed to return to its ecological site potential via succession that will allow it to meet a minimum 5% sagebrush canopy cover within 10 to 15 years.

Suitable Habitat Disturbance Definition

To evaluate the 5% disturbance cap per average 640 acres or PIAA, suitable habitat is considered disturbed when it is removed and unavailable for immediate sage-grouse use.

- a. Long-term removal occurs when habitat is physically removed through activities that replace suitable habitat with long term occupancy of unsuitable habitat such as a road, well pad or active mine.
- b. Short-term removal occurs when vegetation is removed in small areas, but restored to suitable habitat within a few years of disturbance, such as a successfully reclaimed pipeline, or successfully reclaimed drill hole or pit.
- c. Suitable habitat rendered unusable due to numerous anthropogenic disturbances less than 1.2 miles apart that preclude use by sage-grouse.

138 - Unit Area

This parcel is subject to a proposed unit area

139 - For Development in Sage-Grouse Core Areas with Environmental Impact Study Area

PERMITTING PROCESS

Point of Contact: The first point of contact for addressing sage-grouse issues in any permit application should be the Wyoming Game and Fish Department (WGFD). Project proponents (proponents) need to have a thorough description of their project and identify the potential effects on sage-grouse prior to submitting an application to the permitting agency (details such as a draft project implementation area analysis, habitat maps and any other information will help to expedite the project). Project proponents should contact WGFD at least 45-60 days prior to submitting their application. More complex projects will require more time. It is understood that WGFD has a role of consultation, recommendation, and facilitation, and has no authority to either approve or deny the project. The purpose of the initial consultation with the WGFD is to become familiar with the project proposal and ensure the project proponent understands recommended stipulations and stipulation implementation process.

Maximum Disturbance Process: All activities will be evaluated within the context of maximum allowable disturbance (disturbance percentages, location and number of disturbances) of suitable sage-grouse habitat (See Appendix A for definition of suitable sage-grouse habitat and disturbance of suitable sage-grouse habitat) within the area affected by the project. The maximum disturbance allowed will be analyzed via a Project Impact Analysis Area (PIAA) process conducted by the Federal Land Management Agency on federal Land and the project proponent on non-federal (private, state) land. Unsuitable habitat occurring within the project area will not be included in the disturbance cap calculations.

1. **Project impact analysis area (PIAA) delineation:**

Determine all leks that may be affected by the project by placing a four-mile boundary around the project boundary (as defined by the proposed area of disturbance related to the project). All occupied leks located within the four-mile boundary will be considered affected by the project.

A four-mile boundary will then be placed around the perimeter of each affected lek. The area within the boundary of affected leks and the project boundary creates the PIAA for each individual project. Disturbance will be analyzed for the PIAA as a whole and for each individual affected lek within the PIAA. Any portion of the PIAA occurring outside of core area will be removed from the analysis.

2. **Disturbance analysis:** Total disturbance acres within the PIAA will be determined through an evaluation (Appendix A) of:

a. Existing disturbance (sage-grouse habitat that is disturbed due to existing anthropogenic activity and wildfire).

b. Approved permits (that have approval for on the ground activity) not yet implemented.

3. **Habitat Assessment:** A habitat assessment will be conducted to create a baseline survey identifying:

a. Suitable and unsuitable habitat within the PIAA

b. Sage-grouse use of suitable habitat (seasonal, densities, etc)

c. Priority restoration areas (which could reduce 5% cap)

i. Areas where plug and abandon activities will eliminate disturbance

ii. Areas where old reclamation has not produced suitable habitat

d. Areas of invasive species

e. Other assurances in place (CCAA, easements, habitat contracts, etc.)

4. **Determination of existing and allowable suitable habitat disturbance:**

Acres of disturbance within suitable habitat divided by the total suitable habitat within the PIAA times 100 equals the percent of disturbed suitable habitat within the PIAA. Subtracting the percentage of existing disturbed suitable habitat from 5% equals new allowable suitable habitat disturbance until plant regeneration or reclamation reduces acres of disturbed habitat within the PIAA.

Permitting: The complete analysis package developed by consultation and review outlined herein will be forwarded to the appropriate permitting agency. Wyoming Game and Fish Department recommendations will be included, as will other recommendations from project proponents and other appropriate agencies.

Excepted Activities: A list of "de minimus" activities, including standard uses of the landscape, is being developed and will be completed by 01 July 2010 as further guidance for these recommendations.

GENERAL STIPULATIONS

These stipulations are designed to maintain existing suitable sage-grouse habitat by permitting development activities in core areas in a way that will not cause declines in sage-grouse populations. General stipulations are recommended to apply to all activities in core areas, with the exception of de minimus actions defined herein or specifically identified activities. The specific industry stipulations are considered in addition to the general stipulations.

1. **Surface Disturbance:** Surface disturbance will be limited to 5% of suitable sage-grouse habitat per an average of 640 acres. The PIAA process will be used to determine the level of disturbance. Distribution of disturbance may be considered and approved on a case-by-case basis. Unsuitable habitat should be identified in a seasonal and landscape context, on a case-by-case basis, outside the 0.6 mile buffer around leks. This will incentivize proponents to locate projects in unsuitable habitat to avoid creating additional disturbance acres. Acres of development in unsuitable habitat are not considered disturbance acres. The primary focus should be on protection of suitable habitats and protecting from habitat fragmentation. See Appendix A for a description of suitable, unsuitable habitat and disturbance.

2. **Surface Occupancy:** Within 0.6 miles of the perimeter of occupied sage-grouse leks there will be no surface occupancy (NSO). NSO, as used in these recommendations, means no surface facilities including roads shall be placed within the NSO

area. Other activities may be authorized with the application of appropriate seasonal stipulations, provided the resources protected by the NSO are not adversely affected. For example, underground utilities may be permissible if installation is completed outside applicable seasonal stipulation periods and significant resource damage does not occur. Similarly, geophysical exploration may be permissible in accordance with seasonal stipulations.

3. Seasonal Use: Activity (production and maintenance activity exempted) will be allowed from July 1 to March 14 outside of the 0.6 mile perimeter of a lek in core areas where breeding, nesting and early brood-rearing habitat is present. In areas used solely as winter concentration areas, exploration and development activity will be allowed March 14 to December 1. Activities in unsuitable habitat may also be approved year-round (including March 15-June 30) on a case-by-case basis (except in specific areas where credible data shows calendar deviation). Activities may be allowed during seasonal closure periods as determined on a case-by-case basis.

4. Transportation: Locate main roads used to transport production and or waste products > 1.9 miles from the perimeter of occupied sage-grouse leks. Locate other roads used to provide facility site access and maintenance > 0.6 miles from the perimeter of occupied sage-grouse leks. Construct roads to minimum design standards needed for production activities.

5. Overhead Lines: Bury lines when possible, if not; locate overhead lines at least 0.6 miles from the perimeter of occupied sage-grouse leks. New lines should be raptor proofed if not buried.

6. Noise: Limit new noise levels to 10 dBA above ambient noise (existing activity included) measured at the perimeter of a lek from 6 PM to 8 AM during initiation of breeding (March 1 to May 15). Actual thresholds may be adjusted upon completion of current research being conducted in core habitat.

7. Vegetation Removal: Vegetation removal should be limited to the minimum disturbance required by the project. All topsoil stripping and vegetation removal in suitable habitat will occur between July 1 and March 14 in areas that are within 4.0 miles of an occupied lek. Initial disturbance in unsuitable habitat between March 15 and June 30 may be approved on a case-by-case basis.

8. Sagebrush Treatment: Sagebrush eradication is considered disturbance and will contribute to the 5% disturbance factor. Sagebrush treatments that maintain sagebrush canopy cover at or above 15% total canopy cover within the treated acres will not be considered disturbance. Treatments that reduce sagebrush canopy cover below 15% will be allowed if all such treated areas make up less than 20% of the suitable sagebrush habitat within the PIAA, and any point within the treated area is within 60 meters of sagebrush habitat with 10% or greater canopy cover. Treatments to enhance sagebrush grassland will be evaluated based upon the existing habitat quality and the functional level post-treatment.

9. Monitoring adaptive response: For all activities allowed in Core Areas, sage-grouse monitoring will be conducted to evaluate the response of the affected populations (PIAA identified leks) to the permitted activity. Monitoring plans will be coordinated and modified by the permitting agency with input from WGFD. Monitoring will include the evaluation of affected leks and at least three reference leks (one control area) outside the PIAA. If declines in affected leks (using a three-year running average during any five-year period relative to trends on reference leks) are determined to be caused by the project, the operator will propose adaptive management responses to increase the number of birds. If the operator cannot demonstrate a restoration of bird numbers to baseline levels (established by pre-disturbance surveys, reference surveys and taking into account regional and statewide trends) within three years, operations will cease until such numbers are achieved.

10. Reclamation: Reclamation should re-establish native grasses, forbs and shrubs during interim and final reclamation to achieve cover, species composition, and life form diversity commensurate with the surrounding plant community or desired ecological condition to benefit sage-grouse and replace or enhance sage-grouse habitat to the degree that environmental conditions allow. Seed mixes should include 2 native forbs and 2 native grasses with at least one bunchgrass species. Where sagebrush establishment is prescribed, establishment is defined as meeting the standard prescribed in the individual reclamation plan. Landowners should be consulted on desired plant mix on private lands. The operator is required to control noxious and invasive weed species, including cheatgrass. Rollover credit, if needed, will be outlined in the individual project reclamation plan. Credit may be given for completion of habitat enhancements on bond released or other minimally functional habitat when detailed in a plan. These habitat enhancements may be used as credit for reclamation that is slow to establish in order to maintain the disturbance cap or to improve nearby sage-grouse habitat.

11. Existing Activities: Areas already disturbed or approved for development within Core Areas prior to Executive Order 2008-02 are not subject to new sage-grouse stipulations with the exception existing operations may not initiate activities resulting in new surface occupancy within 0.6 mile of the perimeter of a sage-grouse lek. Any existing disturbance will be counted toward the calculated disturbance cap for a new proposed activity. The level of disturbance for existing activity and rollover credit may exceed 5%.

12. Exceptions: Any exceptions to these general or specific stipulations will be considered on a case by case basis and must show that the exception will not cause declines in sage-grouse populations.

SPECIFIC STIPULATIONS (To be applied in addition to general stipulations)

1. Oil and Gas: Well pad densities not to exceed an average of 1 pad per square mile (640 acres) and suitable habitat disturbed not to exceed 5% of suitable habitat within the PIAA. As an example, the number of well pads within a 2 mile radius of the perimeter of an occupied sage-grouse lek should not exceed 11, distributed preferably in a clumped pattern in one general direction from the lek.

2. Mining

a. For development drilling or ore body delineation drilled on tight centers, (approximately 100'X100') the disturbance area will be delineated by the external limits of the development area. Assuming a widely-spaced disturbance pattern, the actual

footprint will be considered the disturbance area.

- b. Monitoring results will be reported annually in the mine permit annual report and to WGFD. Pre-disturbance surveys will be conducted as required by the appropriate regulatory agency.
- c. The number of active mining development areas (e.g. operating equipment and significant human activity) are not to exceed an average of 1 site per square mile (640 acres) within the PIAA.
- d. Surface disturbance and surface occupancy stipulations will be waived within the Core Area when implementing underground mining practices that are necessary to protect the health, welfare, and safety of miners, mine employees, contractors and the general public. The mining practices include but are not limited to bore holes or shafts necessary to 1) provide adequate oxygen to an underground mine, 2) supply inert gases or other substances to prevent, treat, or suppress combustion or mine fires 3) inject mine roof stabilizing substances and 4) remove methane from mining areas. Any surface disturbance or surface occupancy necessary to access the sites to implement these mining practices will also be exempt from any stipulation.
- e. Coal mining operations will be allowed to continue under the regulatory and permit-specific terms and conditions authorized under the federal Surface Mining Control and Reclamation Act.

3. Connectivity:

a. The suspension of federal and state leases in connectivity corridors is encouraged where there is mutual agreement by the leasing agency and the operator. These suspensions should be allowed until additional information clarifies their need. Where suspensions cannot be accommodated, disturbance should be limited to more than five percent (5%) (up to 32 acres) per 640 acres of suitable sage-grouse habitat within connectivity corridors.

b. For protection of connectivity corridors, a controlled surface use (CSU) buffer of 0.6 miles around leks or their documented perimeters is required. In addition, a March 15 – June 30 timing limitation stipulation is required within nesting habitat within 4 miles of leks.

4. Process Deviation or Undefined Activities: Development proposals incorporating less restrictive stipulations or development that is not covered by these stipulations may be considered depending on site-specific circumstances and the proponent must have data demonstrating that the alternative development proposal will not cause declines in sage-grouse populations in the core area. Proposals to deviate from standard stipulations will be considered by a team including WGFD and the appropriate land management and permitting agencies, with input from the U.S. Fish and Wildlife Service. Project proponents need to demonstrate that the project development would meet at least one of the following conditions:

a. No suitable habitat is present in one contiguous block of land that includes at least a 0.6-mile buffer between the project area and suitable habitat;

b. No sage-grouse use occurs in one contiguous block of land that includes at least a 0.6 mile buffer between the project area and adjacent occupied habitat, as documented by total absence of sage-grouse droppings and an absence of sage-grouse activity for the previous ten years;

c. Provision of a development mitigation plan that has been implemented and demonstrated by previous research not to cause declines in sage-grouse populations. The demonstration must be based on monitoring data collected and analyzed with accepted scientific based techniques.

5. Wind Development: Wind development is not recommended in sage-grouse core areas.

Appendix A

Suitable Sage-Grouse Habitat Definition

Sage-grouse require somewhat different seasonal habitats distributed over large areas to complete their life cycle. All of these habitats consist of, are associated with, or are immediately adjacent to, sagebrush. If sage-grouse seasonal habitat use maps do not exist for the project site the following description of suitable habitat should be used to determine areas of unsuitable sage grouse habitat for development siting purposes. An abbreviated description of a complex system cannot incorporate all aspects of, or exceptions to, what habitats a local sage-grouse population may or may not utilize. The references provided below will assist where more detailed site evaluations are required.

Suitable sage-grouse habitat (nesting, breeding, brood-rearing, or winter) is within the mapped occupied range of sage-grouse, and:

- 1) has 5% or greater sagebrush canopy cover as measured by the technique developed by interagency efforts. `Sagebrush` includes all species and sub-species of the genus *Artemisia* except the mat-forming sub-shrub species: *frigida* (fringed) and *pedatifida* (birdfoot).”; or
- 2) is riparian, wet meadow (native or introduced) or areas of alfalfa or other suitable forbs (brood rearing habitat) within 60 meters of sagebrush habitat with 10% or greater canopy cover and the early brood rearing habitat does not exceed 20% of the suitable sagebrush habitat present within the PIAA, Larger riparian wet meadow, and grass forb producing areas may be considered suitable habitat as determined on a case by case basis, or
- 3) is a burned or treated sagebrush site being managed to return to its ecological site potential via succession that will allow it to meet a minimum 5% sagebrush canopy cover within 10 to 15 years.

Suitable Habitat Disturbance Definition

To evaluate the 5% disturbance cap per average 640 acres or PIAA, suitable habitat is considered disturbed when it is removed and unavailable for immediate sage-grouse use.

- a. Long-term removal occurs when habitat is physically removed through activities that replace suitable habitat with long term occupancy of unsuitable habitat such as a road, well pad or active mine.
- b. Short-term removal occurs when vegetation is removed in small areas, but restored to suitable habitat within a few years of disturbance, such as a successfully reclaimed pipeline, or successfully reclaimed drill hole or pit.
- c. Suitable habitat rendered unusable due to numerous anthropogenic disturbances less than 1.2 miles apart that preclude use by sage-grouse.

Recognize Ongoing Study of Sage Grouse Habitat Treatment Area Radius.