

Wednesday, November 02, 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(W) = Withdrawn Lands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	Niobrara	T36N R61W Sec 16 All	640.00	CS	136
2	Niobrara	T35N R62W Sec 6 L2	41.15	SR	136
3	Niobrara	T35N R62W Sec 16 All	640.00	CS	136
4	Niobrara	T36N R62W Sec 16 All	640.00	CS	136
5	Niobrara	T36N R62W Sec 36 All	640.00	CS	117,136
6	Niobrara	T37N R62W Sec 16 All	640.00	CS	117,136
7	Niobrara	T37N R62W Sec 21 N2NW	80.00	CS	117,136
8	Niobrara	T37N R62W Sec 36 All	640.00	CS	136
9	Niobrara	T35N R63W Sec 16 All	640.00	CS	136
10	Niobrara	T36N R63W Sec 29 SWSW:NESW	80.00	FL	136
11	Niobrara	T37N R63W Sec 17 SWSW:NESW	80.00	FL	136
12	Niobrara	T37N R63W Sec 20 E2NW	80.00	FL	136

13	Niobrara	<u>T37N R63W</u> Sec 36 All	640.00	CS	136
14	Laramie	<u>T12N R65W</u> Sec 16 N2:N2S2:Lots 1-4	553.52	CS	136
15	Laramie	<u>T14N R65W</u> Sec 4 SESE	40.00	PB	136
16	Laramie	<u>T17N R65W</u> Sec 22 All	640.00	CS	136
17	Niobrara	<u>T34N R65W</u> Sec 4 S2:S2N2:Lots 1-4	637.85	IA	117,127,136
18	Niobrara	<u>T34N R65W</u> Sec 9 N2N2:S2NW	240.00	IA	127,136
19	Niobrara	<u>T34N R65W</u> Sec 9 S2	320.00	CS	127,136
20	Niobrara	<u>T34N R65W</u> Sec 16 All	640.00	CS	136
21	Niobrara	<u>T38N R65W</u> Sec 36 All	640.00	CS	117,136
22	Laramie	<u>T12N R66W</u> Sec 2 S2N2:SE:Lots 1-4	481.28	PB	117,136
23	Laramie	<u>T12N R66W</u> Sec 4 S2	320.00	PB	136
24	Laramie	<u>T12N R66W</u> Sec 8 N2	320.00	PB	136
25	Laramie	<u>T12N R66W</u> Sec 10 E2:SW	480.00	PB	136

26	Laramie	<u>T12N R66W</u> Sec 12 E2:SW	480.00	PB	136
27	Laramie	<u>T12N R66W</u> Sec 14 S2N2:N2S2:Lots 1-4	479.04	PB	136
28	Laramie	<u>T12N R66W</u> Sec 16 S2	320.00	CS	136
29	Laramie	<u>T12N R66W</u> Sec 18 E2:E2W2:Lots 1-4	652.76	PB	136
30	Laramie	<u>T13N R66W</u> Sec 20 E2SE:SWSE	120.00	PB	136
31	Laramie	<u>T13N R66W</u> Sec 22 N2N2:SENE:SWNW	240.00	PB	136
32	Laramie	<u>T13N R66W</u> Sec 28 N2N2:SENE:SWNW	240.00	PB	136
33	Laramie	<u>T13N R66W</u> Sec 28 SWNE:SENW	80.00	SR	136
34	W Laramie	<u>T14N R66W</u> Sec 16 E2	304.49	CS	136
35	Laramie	<u>T17N R66W</u> Sec 16 All	640.00	CS	136
36	Laramie	<u>T17N R66W</u> Sec 36 All	640.00	CS	136
37	Niobrara	<u>T34N R66W</u> Sec 3 SWNW	40.00	CS	117,136
38	Niobrara	<u>T34N R66W</u> Sec 16 All	640.00	CS	136

39	Niobrara	<u>T35N R66W</u> Sec 13 S2SE	80.00	FL	117,136
40	Niobrara	<u>T35N R66W</u> Sec 16 All	640.00	CS	127,136
41	Niobrara	<u>T35N R66W</u> Sec 24 W2NW	80.00	CS	117,136
42	Niobrara	<u>T35N R66W</u> Sec 26 NWNW	40.00	CS	117,136
43	Niobrara	<u>T35N R66W</u> Sec 27 SESE	40.00	CS	117,127,136
44	Niobrara	<u>T35N R66W</u> Sec 34 N2NE:SWNE	120.00	CS	117,136
45	Niobrara	<u>T36N R66W</u> Sec 16 All	640.00	CS	127,136,138
46	Niobrara	<u>T36N R66W</u> Sec 36 All	640.00	CS	136
47	Laramie	<u>T12N R67W</u> Sec 2 S2:S2N2	480.00	UN	136
48	Laramie	<u>T12N R67W</u> Sec 4 SENW	40.00	PB	136
49	Laramie	<u>T12N R67W</u> Sec 6 SE:S2NE:E2SW:L4	383.60	UN	136
50	Laramie	<u>T12N R67W</u> Sec 6 SENW:L3	107.60	CS	136
51	Laramie	<u>T12N R67W</u> Sec 12 SE	160.00	CS	136

52	Laramie	<u>T12N R67W</u> Sec 16 All	640.00	CS	117,136
53	Laramie	<u>T12N R67W</u> Sec 18 E2:E2W2:L1:L2	612.96	PB	136
54	Laramie	<u>T12N R67W</u> Sec 20 L2:L3:L4	74.10	PB	136
55	Laramie	<u>T12N R67W</u> Sec 22 L2:L3:L4	72.89	PB	136
56	Laramie	<u>T12N R67W</u> Sec 24 L1:L2:L3:L4	106.93	PB	136
57	Laramie	<u>T13N R67W</u> Sec 28 W2	320.00	UN	136
58	Laramie	<u>T13N R67W</u> Sec 32 N2SW	80.00	PB	136
59	Laramie	<u>T13N R67W</u> Sec 34 SE	160.00	PB	136
60	Laramie	<u>T13N R67W</u> Sec 34 SW	160.00	CS	136
61	Laramie	<u>T17N R67W</u> Sec 14 SE	160.00	PB	136
62	Laramie	<u>T18N R67W</u> Sec 13 S2SW:SWSE	120.00	SS	117,136
63	Laramie	<u>T18N R67W</u> Sec 13 SESE	40.00	CS	117,136
64	Laramie	<u>T18N R67W</u> Sec 23 NENE Sec 24 NWNW	80.00	SS	117,136

65	Laramie	<u>T18N R67W</u> Sec 33 E2	320.00	CS	136
66	Laramie	<u>T18N R67W</u> Sec 34 All	640.00	CS	136
67	Laramie	<u>T18N R67W</u> Sec 35 All	640.00	CS	136
68	Laramie	<u>T18N R67W</u> Sec 36 All	640.00	CS	136
69	Laramie	<u>T19N R67W</u> Sec 24 E2W2:W2SE:SWNE	280.00	FL	136
70	Laramie	<u>T19N R67W</u> Sec 25 W2SW	80.00	CS	117,136
71	Converse	<u>T33N R67W</u> Sec 29 S2SW:SWSE	120.00	CS	117,127,136
72	Weston	<u>T41N R67W</u> Sec 26 NWNE	40.00	AG	117,136,139
73	Weston,Niobrara	<u>T41N R67W</u> Sec 27 W2NE:N2SE	160.00	CS	136,139
74	Niobrara	<u>T41N R67W</u> Sec 36 All	640.00	CS	117,136
75	Crook	<u>T55N R67W</u> Sec 29 E2NW:SWNE:NWSE	160.00	CS	136
76	Laramie	<u>T18N R68W</u> Sec 36 All	640.00	CS	117,136
77	Converse	<u>T35N R68W</u> Sec 6 W2SE:SENE:NESE	160.00	AG	117,136

78		Converse	<u>T36N R68W</u> Sec 32 SESE	40.00	AG	117,136
79		Converse	<u>T40N R68W</u> Sec 16 All	640.00	CS	136
80		Converse	<u>T41N R68W</u> Sec 36 All	640.00	CS	117,127,136
81	W	Converse	<u>T32N R69W</u> Sec 10 N2NE	80.00	ES	117,136,139
82		Converse	<u>T32N R69W</u> Sec 14 N2NE:SWNE:SENE	160.00	CS	117,136
83		Converse	<u>T32N R69W</u> Sec 14 SESW	40.00	SR	136
84		Converse	<u>T32N R69W</u> Sec 15 SENE	40.00	CS	117,136
85		Converse	<u>T32N R69W</u> Sec 21 SE	160.00	ES	136,139
86		Converse	<u>T32N R69W</u> Sec 23 NENE	40.00	SR	136
87		Converse	<u>T32N R69W</u> Sec 23 W2W2	160.00	CS	117,136
88		Converse	<u>T32N R69W</u> Sec 26 NWNW Sec 27 NENE	80.00	CS	117,136
89		Converse	<u>T32N R69W</u> Sec 28 W2NE:E2NW	160.00	ES	136,139
90		Converse	<u>T32N R69W</u> Sec 36 All	640.00	CS	136

91		Converse	<u>T40N R69W</u> Sec 13 N2NW:SENW	120.00	CS	117,136
92		Converse	<u>T40N R69W</u> Sec 14 N2N2	160.00	CS	117,136
93		Converse	<u>T40N R69W</u> Sec 15 N2NE	80.00	CS	117,136
94		Campbell	<u>T43N R70W</u> Sec 27 SENE	40.00	CS	117,136
95		Campbell	<u>T43N R70W</u> Sec 34 S2	320.00	FL	136
96		Converse	<u>T38N R71W</u> Sec 16 All	640.00	CS	117,136
97		Converse	<u>T39N R71W</u> Sec 36 All	640.00	CS	117,136
98	W	Converse	<u>T41N R71W</u> Sec 35 S2NW:NWNW:NESW	160.00	CS	116,117,136
99	W	Campbell	<u>T43N R71W</u> Sec 36 All	640.00	CS	117,127,136
100		Converse	<u>T32N R72W</u> Sec 17 NW	160.00	CS	5,136
101		Converse	<u>T35N R72W</u> Sec 36 All	640.00	CS	117,121,136
102		Converse	<u>T41N R72W</u> Sec 29 S2SW:SWSE Sec 32 N2NE	200.00	CS	117,136
103		Converse	<u>T32N R73W</u> Sec 14 E2SE	80.00	CS	5,136

104	Converse	<u>T32N R73W</u> Sec 14 SWNE:NWSE	80.00	SR	5,136
105	Converse	<u>T32N R73W</u> Sec 16 W2W2:NWNE:NENW	240.00	CS	136
106	Converse	<u>T32N R73W</u> Sec 18 E2SW:SEW:Lots 2-4	212.37	DD	5,136
107	Converse	<u>T32N R73W</u> Sec 20 N2	320.00	CS	5,136
108	Converse	<u>T32N R73W</u> Sec 21 W2SW:NESE	120.00	AG	5,117,136
109	Converse	<u>T32N R73W</u> Sec 22 NWNW	40.00	CS	5,136
110	Converse	<u>T36N R73W</u> Sec 16 All	640.00	CS	136,138
111	Converse	<u>T41N R73W</u> Sec 36 All	640.00	CS	136
112	Campbell	<u>T48N R73W</u> Sec 36 All	640.00	CS	117,136
113	Converse	<u>T32N R74W</u> Sec 22 All	640.00	CS	5,117,136
114	Albany	<u>T18N R75W</u> Sec 4 S2:S2N2:Lots 1-4	632.90	UN	136
115	Converse	<u>T33N R75W</u> Sec 24 W2	320.00	CS	5,127,136
116	Converse	<u>T41N R75W</u> Sec 29 W2SE	80.00	CS	127,136

117		Converse	<u>T41N R75W</u> Sec 31 E2SE	80.00	CS	136
118		Campbell	<u>T48N R75W</u> Sec 26 SWNW	40.00	SR	136
119		Converse	<u>T33N R76W</u> Sec 14 All	640.00	PE	136,139
120		Campbell,Johnson	<u>T42N R76W</u> Sec 32 SWNE:SENW	80.00	CS	117,136
121		Converse	<u>T33N R77W</u> Sec 36 All	640.00	CS	136,139
122		Converse	<u>T37N R77W</u> Sec 14 NWSW	40.00	CS	136,138,139
123		Johnson	<u>T41N R77W</u> Sec 16 All	640.00	CS	136
124		Carbon	<u>T21N R82W</u> Sec 36 All	640.00	CS	117,136,139
125		Carbon	<u>T15N R89W</u> Sec 16 All	640.00	CS	136,139
126	W	Carbon	<u>T16N R89W</u> Sec 2 SW	160.00	PB	
127	W	Carbon	<u>T16N R89W</u> Sec 3 S2	320.00	PB	
128	W	Carbon	<u>res T16N R89W</u> Trt 48 (Formerly Sec 9 E2)	320.00	PB	
129		Carbon	<u>res T16N R89W</u> Trt 56 (Formerly Sec 18 SENE)	40.00	CS	5,132,136,139

130	Fremont	<u>T27N R90W</u> Sec 16 All	640.00	CS	136
131	Fremont	<u>T27N R90W</u> Sec 36 All	640.00	CS	136
132	Fremont	<u>T28N R90W</u> Sec 16 All	640.00	CS	136,139
133	Fremont	<u>T28N R90W</u> Sec 18 SESE Sec 19 NENE:L2	116.45	CS	5,136,139
134	Fremont	<u>T28N R90W</u> Sec 20 NWNE	40.00	CS	5,136,139
135	Fremont	<u>T28N R90W</u> Sec 36 All	640.00	CS	136,139
136	Fremont	<u>T34N R90W</u> Sec 16 All	640.00	CS	5,136,139
137	Sweetwater	<u>T21N R91W</u> Sec 16 All	640.00	CS	136,138,139
138	Fremont	<u>T28N R91W</u> Sec 4 SESE:L3 Sec 9 NENE	121.92	CS	117,136,139
139	Fremont	<u>T28N R91W</u> Sec 15 SESE	40.00	CS	117,136,139
140	Fremont	<u>T28N R91W</u> Sec 16 All	640.00	CS	136,139
141	W Fremont	<u>T28N R91W</u> Sec 24 SENE	40.00	CS	136
142	Fremont	<u>T28N R91W</u> Sec 36 All	640.00	CS	5,136

143	Fremont	<u>T34N R91W</u> Sec 3 SE:S2NE:L1:L2	319.51	CS	5,117,136,139
144	Fremont	<u>T34N R91W</u> Sec 10 E2	320.00	CS	5,117,136,139
145	Fremont	<u>T35N R91W</u> Sec 16 All	640.00	CS	5,136,139
146	Fremont	<u>T35N R91W</u> Sec 21 E2	320.00	CS	5,136,139
147	Fremont	<u>T35N R91W</u> Sec 28 E2	320.00	CS	5,117,136,139
148	Fremont	<u>T36N R91W</u> Sec 36 All	640.00	CS	136,139
149	Fremont	<u>T27N R92W</u> Sec 20 NWNE	40.00	CS	117,136,139
150	Fremont	<u>T28N R92W</u> Sec 5 SW	160.00	CS	5,117,136,139
151	Fremont	<u>T28N R92W</u> Sec 16 All	640.00	CS	136
152	Fremont	<u>T34N R92W</u> Sec 16 All	640.00	CS	5,117,136,139
153	Fremont	<u>T34N R92W</u> Sec 36 All	640.00	CS	136,139
154	Fremont	<u>T35N R92W</u> Sec 16 All	640.00	CS	136,139
155	Fremont	<u>T35N R92W</u> Sec 34 NESW	40.00	CS	5,117,136,139

156	Fremont	<u>T35N R92W</u> Sec 36 All	640.00	CS	136,139
157	Fremont	<u>T27N R93W</u> Sec 16 All	640.00	CS	117,136,139
158	Fremont	<u>T28N R93W</u> Sec 3 SE	160.00	CS	136,139
159	Fremont	<u>T29N R93W</u> Sec 16 All	640.00	CS	5,136,139
160	Fremont	<u>T29N R93W</u> Sec 36 All	640.00	CS	136,139
161	Fremont	<u>T30N R93W</u> Sec 36 NE:N2NW:SE	280.00	CS	5,116,136,139
162	Fremont	<u>T34N R93W</u> Sec 16 All	640.00	CS	5,117,139,136
163	Fremont	<u>T34N R93W</u> Sec 19 SWSE	40.00	CS	136,139
164	Fremont	<u>T35N R93W</u> Sec 10 SW	160.00	CS	5,117,136,139
165	Fremont	<u>T35N R93W</u> Sec 16 All	640.00	CS	5,117,136,139
166	Fremont	<u>T35N R93W</u> Sec 23 S2	320.00	CS	5,117,136,139
167	Fremont	<u>T35N R93W</u> Sec 36 All	640.00	CS	5,117,136,139
168	Washakie	<u>T47N R93W</u> Sec 16 All	640.00	CS	5,136

169	W	Fremont	<u>T29N R94W</u> Sec 16 All	640.00	CS	136
170		Fremont	<u>T30N R94W</u> Sec 16 All	640.00	CS	5,117,136,139
171		Fremont	<u>T31N R94W</u> Sec 36 All	640.00	CS	5,136,139
172		Fremont	<u>T34N R94W</u> Sec 16 All	640.00	CS	117,136,139
173		Fremont	<u>T35N R94W</u> Sec 36 All	640.00	CS	117,136,139
174		Washakie	<u>T48N R94W</u> Sec 16 All	640.00	CS	5,136
175		Washakie	<u>T48N R94W</u> Trt 38 (formerly Sec 36 All)	640.00	CS	136
176		Sweetwater	<u>T15N R95W</u> Sec 16 All	640.00	CS	127,136
177		Fremont	<u>T31N R95W</u> Sec 36 All	640.00	CS	136,139
178		Washakie	<u>T48N R95W</u> Sec 36 All	640.00	CS	5,117,136,139
179		Hot Springs	<u>T45N R96W</u> Sec 36 All	640.00	CS	136
180		Washakie	<u>res T47N R96W</u> Trt 54 (formerly Sec 36 All)	640.00	CS	5,117,136,139
181		Hot Springs	<u>T45N R97W</u> Sec 16 All	640.00	CS	5,127,136

182	Hot Springs	<u>T45N R97W</u> Sec 36 All	640.00	CS	136
183	Hot Springs	<u>T47N R97W</u> Sec 29 S2SW	80.00	CS	5,117,136,139
184	Hot Springs	<u>T47N R97W</u> Sec 30 N2SE:NESW:L3	158.52	CS	5,117,136,139
185	Hot Springs	<u>T47N R97W</u> Sec 30 NENE	40.00	CS	5,136,139
186	Hot Springs	<u>T47N R99W</u> Sec 3 SWSW Sec 4 NESE	80.00	CS	5,117,136,139
187	Hot Springs	<u>T47N R99W</u> Sec 10 W2NE:NESE	120.00	CS	5,117,136,139
188	Hot Springs	<u>T47N R99W</u> Sec 25 S2SW	80.00	CS	5,127,136
189	Hot Springs	<u>T47N R99W</u> Sec 31 E2	320.00	CS	5,117,136
190	Hot Springs	<u>T47N R99W</u> Sec 32 N2	320.00	CS	5,117,136
191	Hot Springs	<u>T47N R99W</u> Sec 33 NWSW	40.00	CS	5,117,136
192	Hot Springs	<u>T47N R99W</u> Sec 36 All	640.00	CS	5,117,127,136
193	Hot Springs	<u>T45N R100W</u> Sec 1 S2	320.00	CS	5,136,139
194	Hot Springs	<u>T45N R100W</u> Sec 18 SE:E2SW:L3:L4 Sec 19 N2NE:SWNE	439.33	CS	5,117,136

195	Hot Springs	<u>T45N R100W</u> Sec 22 NESE	40.00	CS	5,136
196	Hot Springs	<u>T45N R100W</u> Sec 22 SESW	40.00	CS	5,117,136
197	Hot Springs	<u>T44N R101W</u> Sec 16 All	640.00	CS	5,117,136
198	Hot Springs	<u>T44N R101W</u> Sec 36 All	640.00	CS	5,136,139
199	Park	<u>T48N R103W</u> Sec 2 S2:S2N2:Lots 1-4	639.20	SR	5,136
200	Sweetwater	<u>T25N R109W</u> Sec 16 All	640.00	CS	117,136
201	Sweetwater	<u>T25N R109W</u> Sec 36 All	640.00	CS	117,136,139
202	Sweetwater	<u>T21N R110W</u> Sec 16 All	640.00	CS	124,136,139
203	Sweetwater	<u>T22N R111W</u> Sec 16 All	640.00	CS	116,117,127,130,136
204	Sweetwater	<u>T22N R111W</u> Sec 36 All	640.00	CS	124,136
205	Uinta	<u>T14N R115W</u> Sec 10 E2	320.00	FL	136
206	Uinta	<u>T16N R115W</u> Sec 18 S2NE:N2SE:SENW:NESW:L2:L3	322.21	FL	116,127,136

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.

116 - State Hist. Pres.Org.

This parcel may be found to contain historic/cultural resources which may be protected by one or more State and/or federal statutes designed for the protection and preservation of such resources. As such, the Office of State Lands and Investments does not approve of any surface disturbing activities until such time as a cultural resource study of the proposed impacted lease areas be conducted by a professional archaeologist or historian listed on the following website:

<http://wyoshop.state.state.wy.us/histlist.pdf>; and, the findings provided in the form of a report to the Office of State Lands and Investments. Surface disturbance may be restricted or prohibited based upon the findings 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 designated historic/cultural properties. 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.

124 - Wyoming Game and Fish

Resource Issue: Rattle Snakes

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

Provide for a survey of the area to be disturbed pursuant to determining the potential for the presence of the Midget Faded Rattlesnake. The survey team shall spend a day with Wyoming Game and Fish personnel to ensure that the survey method is being used correctly.

The survey should delineate rock outcroppings with a Southern aspect (SE, S, SW or 120o- 240o) using aerial photography, Google Earth, or other available GIS data layers within the proposed project area. Any rock outcropping above 7,500 feet or with a Northern aspect may be excluded from the survey design. Although hibernacula for this species are historically observed below 7,000 feet, it would be prudent to search slightly higher elevations to ensure the absence of midget faded rattlesnake populations. The proposed elevation would help prevent the possible exclusion of males migrating away from hibernacula during summer months, or other fringe hibernacula.

Surveys should be performed from late spring through early fall (mid May through mid September). Surveys can only be performed when daytime temperatures exceed 65oF for a week or more. Surveys may be performed in spring and fall months at any time during the day. However, during summer months when daytime temperatures exceed 85oF, surveys should be limited to morning and early afternoon time periods (8:30AM to 1:00PM).

Each delineated rock outcropping should be surveyed for a total of 1 man-hour per km² of suitable habitat (i.e. One person should survey suitable habitat for 1 hour, while two people could survey the same area for 30 minutes). It is recommended that surveyors wear protective gear or clothing while conducting surveys to maintain safety. This could include any one of the following items: snake boots, snake gaiters, or snake chaps. When climbing rocks, surveyors should also verify that all handholds are in snake free locations. Observers should listen closely for snakes rattling while conducting the survey. Some snakes will not be easily observable, and may give their locations away by this behavior. All herpetofauna found during the course of a survey should be noted on observational datasheets and photographed.

Upon observation of a snake, the surveyor should fill out the correct datasheet and collect a photo voucher of the specimen. A GPS point (UTM NAD 83 zone12) should be taken at the observed location. Effort should be made to not disturb the observed snake.

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

130 - State Hist. Pres.Org.

Surface occupancy or use within ¼ mile or visual horizon of any Historic Trail/Road, 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 trails/roads pursuant to protection of the cultural and scenic values of the trails. Compliance failure with this stipulation will result in loss of lease and potential action at law.

132 - Wyoming Game and Fish

Energy / Mineral Exploration Activities on Wyoming Game and Fish Commission Lands.

General conditions as per Property Rights Team and GF Attorney General 2008.

A.) Fees to be paid to the WGFC shall be in line with the current State Land Office charges for the activity.

B.) Exploration activities of less than one year are "short term occupancy" and will be authorized under a Special Use Permit. A short term SUP does not require Commission review or approval and does not have to be negotiated with the requestor.

C.) Surface use Permits are required for activities lasting longer than one year and must be negotiated with the requestor.

General Conditions that apply to all Commission Lands:

1. The WGFC representative shall be the Habitat and Access Supervisor (in Laramie David Lewis).

2. WGFC Wildlife Habitat Protection timing stipulations will be included in the agreement.

3. The Grantee shall comply with the WGFC Chapter 23 Regulations governing uses of lands and waters acquired or administered by the WGFC.

4. The Grantee shall provide a map clearly marking proposed use of existing access roads, any proposed construction of new access routes or staging areas and all other activities and developments of the Grantee on the surface lands.

5. The grantee shall take reasonable precaution to prevent fire and to extinguish fire that could result from the Grantees activities.

6. The Grantee shall not dump, discharge or dispose of any hazardous or toxic substance on or under the surface lands.

7. The Grantee shall not litter, dump nor bury any material, debris or refuse on the surface lands.

8. The grantee shall not divert nor use any surface water from any existing stream, ditch, well, trough, tank, reservoir, pond, spring, guzzler or other water source on the surface lands.

9. All fence gates used by the Grantee shall be kept closed at all times.

10. D.E.Q. Reclamation Bonding Clause: (This clause may not be applicable to all Agreements.)

The grantee shall provide to the WGFD proof the grantee has posted a reclamation bond with the State of Wyoming Department of Environmental Quality for the activities requested on WGFC lands.

11. Access to the easement on WGFC lands is restricted to the pre-existing developed roads and two-track roads. No improvements, blading, shaping, crowning, ditching or other soil disturbance of these roads is allowed without prior approval by the WGFC representative.

12. The Grantee will replace any existing cattleguards, cattleguard foundations, culverts, signs or fences damaged by the Company's activities on WGFC lands. Replacement culverts shall be 16 gauge, corrugated steel pipe 24" x 30'. Cattleguards shall be H-20 construction 8' x 16' with F.L.P.T. 12" x 12" x 16' wood timber foundations. Fence repair or replacement shall comply with WGFC standards. Sign repair or replacement will be as determined by the WGFC representative according to the approved standards at the time of replacement.

13. Noxious Weed Control within the easement for the full term of the easement as granted. Noxious weed control must be performed by a Wyoming Department of Agriculture licensed commercial applicator. The applicator shall provide a copy of the applicators license and a list of herbicides to be used to the WGFC representative for approval prior to application.

14. Reseeding of disturbed soils shall be completed by drill seeding or broadcast seeding with harrowing before soils have frozen sufficiently to prevent seed penetration into disturbed soils. Any proposed seed mix must be pre-approved by the WGFC representative before use. Any proposed seed substitutions to the approved mix must have prior approval of the WGFC representative before use. Reseeding of disturbed soil must establish eighty percent cover in three years. If 80 percent cover is not established the Grantee Company shall reseed as specified above.

Wyoming Mix 1

Sagebrush Communities Seeding Mix

Species Seeding Rates in Lbs/Acre/PLSa

Drilled Broadcast

Thickspike wheatgrass-Critana 4 8

Indian ricegrass – Nezpar 2 4

Western wheatgrass – Rosana 2 4

Needle and thread 2 4

Big sagebrush - Wyomingb 0.5 1

Gardner's saltbush 1 2

a/ Seeding mix may be modified based on site-specific conditions, identification, or additional species for rapid site stabilization, species success in other restoration efforts, and seed availability. An alternative seeding rate may be used if the mixture is modified, if the BLM modifies the rate, or a land owner requests an alternative seeding rate.

b/ Big sagebrush seed will be spread independently of the rest of the seed mix to promote germination.

Alternative species that may be used in this mix include bottlebrush squirreltail, slender wheatgrass, shadscale, fourwing

saltbrush, scarlet globemallow, and Lewis' flax.

Wyoming Mix 1 – Sagebrush Steppe/Sagebrush Scrub Communities

The sagebrush steppe and sagebrush scrub communities occur in semi-arid areas (10 to 14 inch precipitation) on gently sloping (1 to 8 percent) terrain at elevations from about 5,700 to 7,500 feet. In the project area, they occur throughout much of central and western Wyoming (MPs 88 to 266). Sagebrush steppe is distinguished from sagebrush scrub by containing greater than 50 percent understory of grasses and forbs. Both of these communities are dominated by big sagebrush. Other common species include: broom snakeweed, rabbitbrush, prickly pear cactus, mountain mahogany, ephedra, fourwing saltbrush, winterfat, blue grama, bottlebrush squirreltail, Indian ricegrass, needlegrasses, and western wheatgrass.

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.”

138 - Unit Area

This parcel is subject to a purposed 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.