

**FINDING OF NO SIGNIFICANT IMPACT
AND
DECISION RECORD**

**CARSON CITY FIELD OFFICE
GEOTHERMAL LEASING ENVIRONMENTAL ASSESSMENT
EA-NV-030-06-025**

Introduction

As of August 8, 2005, 61 noncompetitive lease applications, covering approximately 109,884 acres, had been filed for geothermal resources within the Bureau of Land Management (BLM) Carson City Field Office (CCFO) management area. The Energy Policy Act of 2005 (Act) supplemented and amended the Geothermal Steam Act of 1970 and until regulations for the implementation of the new Act are approved, no new lease applications are accepted. The 61 noncompetitive lease applications analyzed in this environmental assessment (EA) are those submitted prior to the new Act.

This EA, EA-NV-030-06-025, evaluates the impacts on the natural and human environment that could result from issuing leases for geothermal resources. The EA utilizes two separate screening protocols to determine which areas may be considered suitable for leasing. The first screening protocol identifies areas that the BLM may lease in accordance with law, regulation, or policy. The second screening process identifies the areas that may be leased without a high risk of significant indirect impacts resulting from subsequent geothermal development activities. This resource analysis phase of the screening process is presented in the environmental analyses in Chapters 3 and 4 of the EA.

The issuance of leases for geothermal resources is a federal action, a commitment to resource development, and confers on the lessee the right to future exploration and development within the lease area. There are four stages of geothermal resource development within a lease, including exploration, development, production, and closeout. Each of the four stages requires separate site-specific environmental analysis and BLM authorization when ground-disturbing activities are proposed. The issuance of a lease does not, however, confer on the lessee the right to explore for or develop geothermal resources beyond the level of casual use. As a result, there are no direct impacts resulting from the issuance of geothermal leases.

Nevertheless, it is reasonably anticipated that issuing a lease would result in subsequent exploration, development, production, and closeout activities by the lessee. Assumptions regarding these subsequent indirect actions were described in a Reasonable Development Scenario in Appendix A of EA-NV-030-06-025. The impact analysis in the EA characterizes the potential for impacts for each resource in each lease area as being of high, medium, or low risk. The determination of environmental risk is resource-specific and is based on a number of factors, including the presence and extent of resources within the proposed lease section, the extent of resources in the surrounding area, and the quality of existing data.

The CCFO also administers fluid mineral leases on lands managed by the U.S. Forest Service (USFS), U.S. Bureau of Reclamation (BOR), U.S. Fish and Wildlife Service (USFWS), and the U.S. Department of Defense (DOD). This Decision Record only pertains to lands managed by BLM and BOR. There are no lease applications on USFWS or DOD lands and the USFS will

issue a separate Decision Notice for leases on lands managed by their agency.

Finding of No Significant Impact

Based on the analysis of the *Carson City Field Office Geothermal Leasing Environmental Assessment*, environmental assessment (EA) EA-NV-030-06-025, I have determined that the action will not have a significant effect on the human environment and an environmental impact statement (EIS) will not be prepared.

Decision

I have determined that the following areas, as described in EA-NV-030-06-025 and as stipulated (see attached) are suitable for geothermal leasing:

Special Stips	Township/ Range	Section	Lease Applicant (if applicable)	Serial Number	Approximate Area (acres)*
				(if applicable)	
<u>Steamboat Lease Area</u>					
NSO	17N 19E	<u>12</u>	EVERGREEN ENERGY LLC	N74884	1,777
NSO	17N 20E	<u>8</u>			
				Total:	2,388
<u>Hazen Lease Area</u>					
BOR	19N 26E	<u>4</u>	MACKIE STUART J	N76014	489
	19N 26E	6	KINGZETT JAMES M	N77739	2,560
	20N 25E	34			
BOR	20N 25E	<u>22</u>	KINGZETT JAMES M	N77646	1,280
BOR	20 N 26E	<u>32</u>	KINGZETT JAMES M	N76139	630
BOR		<u>30</u>	KINGZETT JAMES M	N75005	626
				Total:	5,585
<u>Salt Wells Lease Area</u>					
BOR	17N 29E	<u>1, 2</u>	ORMAT NEVADA INC	N79107	1,280
BOR	17N 30E	<u>5, 6, 7, 8</u>	ORMAT NEVADA INC	N79106	2,556
NSO	17N 31E	<u>5, 6</u>	WESTERN GEO PARTNERS	N80607	1,280
BOR	18N 29E	<u>35</u>	ORMAT NEVADA INC	N79103	80
NSO	18N 30E	<u>22, 26, 27</u>	WESTERN GEO PARTNERS	N77722	1,920
NSO		<u>25, 34, 35, 36</u>	WESTERN GEO PARTNERS	N77436	2,560
	18N 31E	5, 8, 17	WESTERN GEO PARTNERS	N80606	1,952
		18, 19, 20	WESTERN GEO PARTNERS	N80609	1,891
		30, 31	WESTERN GEO PARTNERS	N77435	1,260
BOR	18N 30E	<u>5, 6</u>	STILLWATER HOLDINGS	N77158	2,271
BOR	19N 30E	<u>31, 32, 33</u>	STILLWATER HOLDINGS	N77690	400
		<u>29</u>			
				Total:	17,450
<u>Lee Hot Springs Lease Area</u>					
50' Ht.Rst.	15N 29E	<u>4</u>			
		5			

Special Stips	Township/ Range	Section	Lease Applicant (if applicable)	Serial Number	Approximate Area (acres)*
				(if applicable)	
		8			
50' Ht.Rst.		<u>9</u>	VULCAN POWER CO	N74255	2,420
50' Ht.Rst.		<u>16</u>			
		17			
		20			
50' Ht.Rst.		<u>21</u>	VULCAN POWER CO	N74256	2,560
NSO	16N 29E	<u>19</u>			
NSO		<u>20</u>			
NSO		<u>21</u>			
		22	VULCAN POWER CO	N74257	2,537
		23			
		26			
		29			
		30	VULCAN POWER CO	N74258	2,394
NSO		<u>27</u>			
NSO		<u>34</u>	EARTH POWER RES INC	N73930	1,280
NSO		<u>28</u>			
NSO		<u>33</u>		N73679	
			RON BARR		1,280
NSO		<u>28</u>			
		31			
		32			
NSO		<u>33</u>	VULCAN POWER CO	N74259	2,559
		35	VULCAN POWER CO	N74260	640
				Total:	15,670
<i>Wabuska Hot Springs Lease Area</i>					
	15N 25E	14			
		15			
		16			
NSO		<u>22</u>			
		23	HOMESTRETCH GEO LLC	N79988	1,520
				Total:	1,520
<i>Gabbs Valley Lease Area</i>					
	13N 34E	17, 20, 29, 32	ORMAT NEVADA INC	N76822	2,560
					1,898
	12N 34E	17, 18, 19	ORMAT NEVADA INC	N76823	
		6, 7	ORMAT NEVADA INC	N76827	2,314
	13N 33E	24, 18, 19	ORMAT NEVADA INC	N76824	1,920
		25, 36, 30, 31	ORMAT NEVADA INC	N76826	2,560
	12N 33E	1, 2, 11,12	ORMAT NEVADA INC	N76821	
		1, 2, 11,12	MILLER DUSTY LLC	N78774	2,560
		13, 14, 23, 24	ORMAT NEVADA INC	N76825	2,560
	13N 33E	31, 32, 33	MILLER DUSTY LLC	N78771	1,920
		34, 35	MILLER DUSTY LLC	N79705	1,280
	12N 33E	5, 6, 7, 8	MILLER DUSTY LLC	N78772	2,541
		3, 4, 9, 10	MILLER DUSTY LLC	N78773	2,552
		15, 16	MILLER DUSTY LLC	N79706	1,280

Special Stips	Township/ Range	Section	Lease Applicant (if applicable)	Serial Number	Approximate Area (acres)*
				(if applicable)	
		17, 18	MILLER DUSTY LLC	N78775	2,553
	12N 32E	13, 24			
				Total:	28,498
<i>Hawthorne Lease Area</i>					
	8N 29E	25	WESTERN GEO PARTNERS	N77893	200
	7N 30E	5, 6	WESTERN GEO PARTNERS	N77984	945
	8N 30E	29, 30,	WESTERN GEO PARTNERS	N77985	1,823
NSO		31, 32		Total:	2,968
Total Area (Approximate)					74,079

*Lease applications are estimates – acreages within lease areas sometimes have multiple applications within the same Section, consequently, acreages are double counted for these areas.
Serial Number=Lease Unit ID Number.

*NSO – No Surface Occupancy

*BOR – Bureau of Reclamation Stipulations, see attached stipulations

*50' Ht.Rst. – 50 Foot Height Restriction

Stipulations

All applicable standard operating procedures (SOPs) and stipulations have been carried forward and are attached to this FONSI/Decision Record. Subsequent ground disturbing activities associated with geothermal exploration, development, operation, and closeout are subject to BLM environmental review and permitting. The conditions of approval (COAs) listed are representative of the types of measures that may be included as part of the environmental review or permit approval.

Monitoring

No monitoring needs have been identified for this action because leasing would not authorize any ground-disturbing activities that could affect environmental resources.

Rationale

All potentially affected resources were evaluated for environmental risk potential within the lease areas described in the Proposed Action of EA-NV-030-06-025. The Proposed Action is in conformance with the Carson City Field Office Consolidated Resource Management Plan (May 2001) which states that the BLM desired outcome is to *Encourage development of energy and mineral resources in a timely manner to meet national, regional and local needs consistent with the objectives for other public land uses.* The areas determined suitable for geothermal leasing, as described in the Decision (as mitigated or stipulated), meet the criteria described in the Federal Land Policy and Management Act of 1976 to *prevent undue and unnecessary degradation of public land* and the 43 CFR 3200 Geothermal Resources Leasing and Operations Regulations.

/s/ *Donald T. Hicks*

Donald T. Hicks
Manager,
Carson City Field Office

July 17, 2006

Date

APPEAL PROCEDURES

Proponent

The Proponent has the right to appeal this Decision to the Nevada State Director, Bureau of Land Management. If the Operator chooses to exercise this right, the Appeal, and a Statement of Reasons and any arguments presented to justify reversal or modification of this Decision, must be filed in writing at the following office: Bureau of Land Management, Carson City Field Office, 5665 Morgan Mill Road, Carson City, Nevada 89701. The Appeal and the Statement of Reasons must be filed within 30 days after the date of receiving this Decision. The appellant has the burden of showing that the Decision being appealed is in error. This Decision will remain in full force and effect during the appeal unless a written request for a Stay is granted.

Others

If a party other than the operator is aggrieved by the approval of geothermal leasing, the Decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 Code of Federal Regulations, Part 4 and Form 1842-1. If an appeal is made, a Notice of Appeal must be filed at the Bureau of Land Management, Carson City Field Office, 5665 Morgan Mill Road, Carson City, Nevada 89701 within 30 days after the date that this Decision has been issued. The appellant has the burden of showing that the Decision being appealed is in error. A Statement of Reasons and any arguments the appellant wishes to present to justify reversal or modification of this Decision should be filed during the 30-day appeal period. This Decision will remain in full force and effect during the appeal unless a written request for a Stay is granted.

If the appellant wishes to file a petition (request) (pursuant to 43 Code of Federal Regulations 4.21) for a Stay (suspension) of the effectiveness of this Decision during the time that the appeal is being reviewed by the Interior Board of Land Appeals, the Petition for a Stay must accompany the Notice of Appeal. A Petition for a Stay is required to show sufficient justification based on the standards for obtaining a Stay. Copies of the Notice of Appeal and Petition for a Stay must also be submitted to the appropriate Office of the Solicitor (see 43 Code of Federal Regulations 4.413) at the same time the original documents are filed with this office. If the appellant requests a Stay, the appellant has the burden of proof to demonstrate that a Stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or by other pertinent regulation, a Petition for a Stay of a Decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

Attachment B

STANDARD OPERATING PROCEDURES AND CONDITIONS OF APPROVAL

Standard Operating Procedures (SOPs)

In addition to the restrictions on leasing authority contained in the Geothermal Steam Act, the CCFO CRMP, and other established law or regulation, as described in Chapter 1, the following SOPs for leasable minerals are set forth in the CCFO CRMP (BLM 2000). These SOPs define the approach to managing leasable mineral exploration and development in the CCFO management area.

1. Oil, gas, and geothermal exploration and production upon BLM land are conducted through leases with the Bureau and are subject to terms and stipulations to comply with all applicable federal and state laws pertaining to various considerations for sanitation, water quality, wildlife, safety, and reclamation. Stipulations may be site specific and are derived from the environmental analysis process.
2. Geophysical exploration permits for oil, gas or geothermal resources may be obtained prior to leasing of the lands. Mitigation of any resource conflicts identified in the review process will be stipulated in the permit.
3. Wilderness Study Areas are dosed to mineral leasing.

Conditions of Approval

All ground disturbing activity related to geothermal exploration, development, operation, and doseout in the CCFO management area are subject to BLM environmental review and permit approval. As part of these reviews, BLM may require the following types of measures to reduce impacts to resources. Measures listed below are representative of the types of measures that may be included as part of environmental review or permit approval. Additional measures may be included to address site-specific concerns, including SOPs for other resources described in the CCFO CRMP.

CONDITIONS OF APPROVAL

Geophysical Exploration

1. The operator shall furnish a project map(s) at a minimum scale of 1:100,000 with the Notice of Intent (NOI) depicting the approximate line route to be used. A map shall also be filed with the Notice of Completion (NOC) depicting the actual location of the complete line.

2. Any changes in location of exploration lines or test arrays will be brought to the attention of the Authorized Officer (AO) prior to the change being made on the ground.
3. No blading or other dirt work will be allowed without prior approval of the AO.
4. All geophysical exploration activities will be in compliance with Washoe County or State of Nevada air quality standards.
5. Activities of the geophysical operations shall not prevent, obstruct, or unduly interfere with any activities of other authorized users of the public lands.
6. Removal or alteration of existing improvements (fences, cattle guards, etc) is not permitted without prior approval of the AO. Existing improvements will be maintained in a serviceable and safe condition.
7. Fences shall not be cut without prior approval of the AO. Before cutting through any fences, the operator shall firmly brace the fence on both sides of the cut; a temporary gate will be installed for use during the course of operations unless the fence is immediately repaired. Upon completion of operations, fences shall be restored to at least their original condition.
8. During periods of adverse conditions affecting soil moisture caused by climatic factors such as thawing, heavy rains, snow, flooding, or drought, all activities off existing maintained roads that create excessive surface rutting may be suspended. When adverse conditions exist, the operator will contact the AO for an evaluation and decision based on soil types, soil moisture, slope, vegetation, and cover.
9. Off-road vehicle travel will be limited to that which is necessary for the completion of the geophysical operations. Multiple off-road travel routes will not be permitted without AO approval.
10. The use of specialized low surface impact equipment (wide or balloon tired vehicles, ATVs) and/or helicopters may be required for any activities in off-road areas where it is deemed necessary by the AO to protect the fragile soils and/or other resource values.
11. Powder magazines shall be located at least ¼-mile from traveled roads. Loaded shot holes and charges shall be attended at all times.
12. No blasting will be permitted within ¼-mile of historic trails, natural areas, identified archaeological sites, recreation areas, known caves, water wells, or springs.

13. All trash, flagging, lath, etc will be removed and hauled to an authorized disposal site. No oil or lubricants shall be drained into the ground surface.
14. Areas proposed for project routes or surface disturbance will be inventoried for the presence of noxious weeds prior to commencement of activities.
15. A noxious weed control program will be developed, maintained, and implemented by the lessee/operator in order to prevent and avoid the proliferation of noxious weeds, as defined in the Nevada Designated Noxious Weed List. The control program shall include a monitoring strategy and contingency plans to address noxious weed control for a period of at least 5 years following completion of use or closeout. The underside of all heavy equipment must be cleaned by water before entering public lands to do work. Driving through or parking on noxious weed infestations will be avoided.
16. It is the responsibility of the lessee/operator to control and treat for noxious weeds and all infestations of noxious or poisonous weeds, resulting from surface disturbance caused by the operator, will be controlled before spreading occurs into the surrounding area.
17. All disturbed areas will be reclaimed as directed by the AO. Bond liability will not be released until this reclamation is completed to the satisfaction of the AO.
18. Reclamation required by the AO will be done concurrently with the exploration operations insofar as possible or within 30 days of the AO's receipt of the NOC.
19. Disturbed areas will be re-seeded with a diverse native perennial seed mix, as specified in the Nevada Final Guidelines for Successful Revegetation, and approved by the AO. Where applicable, disturbed areas will be rehabilitated as lek habitat. Temporary fences will be used to protect re-vegetated areas. Reseeding will be undertaken by the operator between the dates of October 1 and March 15.
20. All topsoil from all disturbances will be stockpiled for use in reclamation.
21. Vegetation that is removed will be stockpiled, shredded, and used as mulch during site rehabilitation. Any delay of reclamation for any reason, such as weather, must be approved by the BLM.
22. Drill hole cuttings will be returned to the hole if possible, or at a minimum, raked and spread out so as not to impede regrowth of vegetation or to create erosion problems.

23. The operator shall notify the AO the date rehabilitation operations commence and are completed.
24. A portable mud pit is recommended when drilling with fluids and will be required by the AO as needed to protect natural resources.
25. Geophysical exploration activities will comply with the regulations of the Nevada Division of Minerals under Nevada Administrative Code, Chapter 534A, Geothermal Resources.
26. A copy of these recommended operating procedures shall be kept by the party chief of each geophysical crew.
27. The operator may be required to have fire-fighting equipment available on-site while operations are in progress, depending on hazards inherent in the type of operation and fire hazard levels. The quantity and type of equipment will be specified by the AO. All uncontrolled fires will be reported immediately to the AO (775-885-6000).
28. Consultation with the U.S. Fish and Wildlife Service is required per section 7 of the Endangered Species Act if any proposed listed or listed threatened or endangered species or its critical habitat is likely to be affected by project activities. If, through consultation, there is deemed to be an adverse impact to a threatened or endangered species or its habitat, the proposal must be modified or denied.
29. Prior to surface disturbance, the Nevada Division of Wildlife will be consulted to determine how to avoid impacts to any special status species or critical habitat in the area proposed for geothermal resource development. If, through consultation, there is deemed to be an adverse impact to a threatened or endangered species or its habitat, the proposal must be modified or denied.
30. Actions which will adversely impact a plant or animal species or its habitat proposed for federal listing as threatened or endangered will be modified in order to prevent possible future listing of these species as threatened or endangered.
31. When BLM determines geophysical activities may impact BLM sensitive species, the operator will be required to conduct a sensitive species survey prior to BLM granting permit approval.
32. When BLM determines geophysical activities may impact migratory birds, the operator will be required to inventory the area prior to BLM granting permit approval.

33. No surface use within 0.6 miles of known migratory bird nesting areas will be permitted in the nesting season, between March and June, or as determined for specific areas by the AO and with input from appropriate wildlife agencies.
34. Any identified bald eagle roost sites, peregrine falcon hawk sites, and occupied raptor aeries (nests) will be avoided during geophysical operations. A ½-mile buffer zone will be imposed on all activities in these areas.
35. Measures to avoid impacts to Sage Grouse
 - a. Prior to entry on any lease areas that include known or potential Sage Grouse habitat, lessee/operator shall contact the AO to discuss proposed activities.
 - b. No surface occupancy will be permitted within 0.6 miles of any known Sage Grouse strutting grounds (leks).
 - c. No surface use will be permitted within 2 miles of known Sage Grouse breeding areas during the breeding season, March through May, or as determined for specific areas by the AO and with input from appropriate wildlife agencies.
 - d. No surface use will be permitted within 0.6 miles of known Sage Grouse nesting and brood rearing areas between April and August, or as determined for specific areas by the AO and with input from appropriate wildlife agencies.
 - e. No surface use shall be permitted within 0.6 miles of known Sage Grouse winter range between October and March.
 - f. Potential Sage Grouse habitat shall be avoided where possible, or if not possible, off-site mitigation to create habitat at least as suitable as the lost habitat, and at a replacement ratio of 2 to 1, shall be considered.
36. No surface use shall be permitted in crucial migratory routes or winter habitat for mule deer and antelope, between October 15 and April 15, or as determined for specific areas by the AO and with input from appropriate wildlife agencies.
37. Cultural resource inventories will be conducted on all proposed project routes or areas of potential surface disturbing impacts prior to authorization of the geophysical operations. Inventories will be completed by BLM or BLM-approved cultural resource permit holders and section 106 consultation will be completed.

38. All identified cultural resources will be avoided by project-related activities as per the Nevada BLM Programmatic Agreement for Cultural Resources. If avoidance is not feasible, geophysical activities must cease until mitigating measures are developed and implemented and Section 106 consultation is completed. Archaeological monitors may be required in special cases.
39. All traffic associated with geothermal exploration, development, production, and doseout must follow routes that avoid cultural resources. Flagging crews will identify and flag anticipated detours on the route, so that potential detours can be inventoried. The following may be excluded from cultural inventory requirements:
- Operations located on constructed roads or well defined existing roads and trails;
 - Pedestrian routes and placement sites for hand-carried equipment;
 - One time pass routes of wheeled vehicles under 10,000GVW;
 - Helicopter-supported activities that do not require helicopter staging area preparation and use of off-roads and trails; and
 - Exploration activities defined as casual use in 43 CFR 3250.

The decision to conduct a cultural clearance on projects involving methods listed above is at the discretion of the AO. All projects that include methods not listed above will require a clearance prior to their initiation.

40. Cultural resource clearance for projects will, at a minimum, involve one of the following types of inventories:
- Class I: A review of existing historic documentation, and field station records. This type of inventory is generally used when the proposed project is located in an area of complete disturbance, or where the area has been previously inventoried using methods consistent with existing standards.
 - Class II: A review of existing historic documentation, and field station records and some fieldwork. This type of inventory is generally used when only a portion of the project area has been disturbed, or portions of the project area have been previously inventoried using methods consistent with existing standards. It may also include a determination of significance for cultural properties located within the project area, and a determination of effect.

- Class III: A complete inventory that includes a review of existing historic documentation and field station records, and a complete inventory of the project area. It will also include an evaluation of significance for cultural properties located within the project area and a determination of effect. This type of inventory is used in areas where there have been no previous inventories, in areas where there has been a change in ground visibility, or the area was inventoried using methods not acceptable by existing standards.

41. The operator is responsible for informing all persons associated with the project that knowingly disturbing cultural properties (historic or archaeological) or collecting artifacts is illegal.
42. During winter geophysical operations, requirements for cultural resource inventories may be waived by the AO if the unsurveyed lines are located on bare and frozen ground or are completely covered (100%) by snow and the snow is sufficiently deep (approximately 4-6") to prevent ground disturbing ruts. Should conditions change while operations are in progress, the Operator must contact the AO to determine if an archaeological monitor or a Class III survey is required prior to continuance of geophysical activities.
43. For any geophysical operations occurring within ¼ mile of listed National Register Districts or National Register-eligible properties and districts, a Section 106 consultation for a Determination of Effect must be completed and mitigation measures developed and implemented prior to authorization.

Application for Permit to Drill (APD) and Sundry Notices

The regulations governing drilling operations on public lands are stated in 43 CFR 3260. With submittal of an APD or Sundry Notice by the operator or lessee, the following conditions of approval will be required for the operation, as applicable.

Pre-Construction

1. Existing roads should be used to the extent possible. Additional roads, if needed, shall be kept to an absolute minimum and the location of routes must be approved by the AO prior to construction.
2. All access roads will be constructed and maintained to BLM road standards (BLM Manual Section 9113).
3. Off-road travel will be restricted to terrain with less than 30 percent slopes, 20 percent if highly erodable, unless approved by the AO.
4. Proposed surface disturbance and vehicular travel will be limited to the approved well location and access route.

5. Any changes in well location, facility location, access, or site expansion must be approved by the AO in advance.
6. Prior to approval of an APD or other lease operations, a Section 106 consultation must be completed by the AO as provided for under the Nevada BLM Programmatic Agreement for Cultural Resources.
7. Any activity planned within a ¼-mile on either side the Pony Express National Historic Trail must undergo a visual assessment. Appropriate mitigation of visual impacts will be implemented as necessary to keep the management corridor in as natural a condition as possible.

Well Pad and Facility Construction

1. A site diagram depicting the location of production facilities, recontoured slopes and stabilization measures shall be approved by the AO prior to installation of production facilities.
2. The design of all facilities, including well pads, roads, pumps, and pipelines, shall be approved by the AO prior to construction to avoid unnecessary conflicts with visual resources management objectives.
3. Drainage from disturbed areas will be confined or directed so that erosion of undisturbed areas is not increased. In addition, no runoff water (including that from roads) will allowed to flow into intermittent or perennial waterways without first passing through a sediment-trapping mechanism. Erosion control structures may include: water bars, berms, drainage ditches, sediment ponds, or devices.
4. Access road construction for exploratory wells should be planned such that a permanent road can later be constructed in the event of field development.
5. Construction of access roads on steep hillsides and near watercourses will be avoided where alternate routes provide adequate access.
6. Access roads requiring construction with cut and fill will be designed to minimize surface disturbance and take into account the character of the landform, natural contours, cut material, depth of cut, where the fill material will be deposited, resource concerns, and visual contrast.
7. Fill material will not be cast over hilltops or into drainages. Cut slopes should normally be no steeper than 3:1 and fill slopes no steeper than 2:1.
8. Low water crossings should be used whenever possible. Installation of culverts, if necessary, will be designed to maintain the original stream gradient and will be of adequate size to accommodate a 24-hour 100-year event. Fill material will be properly compacted in layers not exceeding 6 inches in thickness to insure stability

and to prevent washing out or dislocation of the culvert. The road surface should not be less than 12 inches above the culvert to prevent crushing from weight loads.

9. As required, fill slopes surrounding culverts will be riprapped with a well-graded mixture of rock sizes containing no material greater than two feet or smaller than three inches. The ratio of maximum to minimum dimension of any rock shall not exceed 6:1.
10. Water turnouts needed to provide additional drainage will be constructed not to exceed two percent slope to minimize soil erosion.
11. Well site layout should take into account the character of the topography and landform. Deep vertical cuts and steep long fill slopes should be avoided. All cut and fill slopes should be constructed to the least percent slope practical.
12. Trash will be retained in portable trash cages and hauled to an authorized disposal site for disposal. Burning will not be allowed on the well site.
13. No drilling or storage facilities will be allowed within 650 feet of any pond, reservoir, canal, spring, or stream. Other protective areas near water may be required to protect riparian habitat and special status species.
14. As wells are drilled, the AO will require that the drilling company monitor the temperature and outflow of water from local hot springs. If the BLM determines the drilling or production operations have had a significant impact on spring level, outflow, or chemistry, the AO will require the operator take corrective action, which may include amending or shutting down operations.
15. Spring and water developments on public lands may be used only with the prior written approval of the AO or the water rights holder.
16. To maintain aesthetics values, all semi-permanent and permanent facilities will be painted to blend with the natural surroundings. Standard environmental colors will be used for color selection. Fences shall be made of non-reflective materials.
17. Fences shall not be cut without prior approval of the AO. Before cutting any fences, the operator shall firmly brace the fence on both sides of the cut; a temporary gate will be installed for use during the course of operations unless the fence is immediately repaired. Upon completion of operations, fences shall be restored to at least their original condition.
18. As directed by the AO, cattle guards will be installed whenever access roads are through pasture gates or fences. These cattle guards shall be maintained. This includes cleaning out under cattle guard bases when needed.

19. The depth of surface soil material to be removed and stockpiled will be specified by the AO. If topsoil is stockpiled for more than one year, the stockpile shall be seeded or otherwise protected from wind and water erosion. The stockpile shall be marked or segregated to avoid loss or mixing with other subsurface materials. Any trees removed will be separated from soils and stockpiled separately.
20. Mud, separation pits, and other containments used during the exploration or operation of the lease for the storage of any hazardous materials shall be adequately fenced, posted, and/or covered.
21. Lessee/operator shall comply with all regulatory requirements for storage and handling of hazardous materials and wastes.
22. All drilling and production operations will be in compliance with Washoe County or State of Nevada air quality standards.
23. If historic or archaeological materials are uncovered during construction, the operator is to immediately stop work that might further disturb such materials, and contact the AO. Within five working days the AO will inform the operator as to whether:
 - the materials appear eligible for the National Register of Historic Places
 - the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)
 - a timeframe for the AO to complete an expedited review under 36 CFR 800.11 or other applicable Programmatic Agreement, to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate
24. If the operator wishes, at any time, relocate activities to avoid the expense of mitigation and/or the delays associated with the process described in item 23 above for inadvertent discovery of cultural resources, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation costs. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.
25. No surface use will be permitted within 0.6 miles of occupied raptor aeries (nests) during the nesting and fledging period.
26. Field development construction activities within 2 miles of a sage grouse lek will require motorized equipment to have noise abatement devices to preclude excessive noise during the sage grouse strutting period.

27. The cutting of rare, unique or unusual trees will not be permitted.
28. Consultation with the U.S. Fish and Wildlife Service is required per section 7 of the Endangered Species Act prior to approval of an APD or other lease operations if any proposed listed or listed threatened or endangered species or its critical habitat is likely to be affected by project activities. If there is deemed to be any adverse impact, the proposal will be modified or the request denied.
29. Fences shall be flagged with bright colored flagging at least every rod for visibility to wild horses. All fences should be constructed using green steel posts with white or silver tops to increase visibility. Fences should also avoid obvious horse migration routes (deep trails, stud piles) if at all possible.
30. No access roads, drill pads, mud pits or storage facilities will be allowed within 500 feet of cave entrances, drainage areas and subsurface passages. No waste material or chemicals will be placed, or disposed of, in sinkholes or gates during specified time frames by cave entrances. If during construction activities any sinkholes or cave openings are discovered, construction activities will cease and the AO will be notified.
31. The discharge of dredged or fill material into surface waters such as navigable and interstate waters and their tributaries, wetlands adjacent to those waters and all impoundments of those waters may require an individual permit or notification under Section 404 of the Clean Water Act (CWA) issued by the District Engineer (DE) of the Corps of Engineers (COE). Criteria applied under Section 404 are established in regulation and will be used to determine the type of permit or notification required.

Field Operation

1. Operations shall be done in a manner that prevents damage, interference, or disruption of water flows, and improvements associated with all springs, wells, or impoundments. It is the operator's responsibility to enact the precautions necessary to prevent damage, interference, or disruptions. Monitoring wells may be required at all sites where exploration or development will occur to assess long-term impacts to quantity and quality.
2. Companies controlling roads that provide access into crucial wildlife areas may be required to close the road with a lockable gate to prevent general use of the road during critical periods of the year when resource problems are experienced (during hunting seasons, winter, etc). This restrictive measure will be applied where needed to protect wildlife resources or to minimize environmental degradation.
3. The use of closed road segments will be restricted to legitimate, authorized agents of the lessee and/or their subcontractor(s), the land managing agency, and other agencies with a legitimate need (NDOW, other law enforcement agencies, etc).

4. Unauthorized use or failure to lock gates during specified time frames by the lessee or its subcontractors will be considered a violation of the terms of the APD or associated grants.
5. The operator shall regularly maintain all roads used for access to the lease operation. A maintenance plan may be required. A regular maintenance program may include, but not be limited to, upgrading of existing roads, blading, ditching, culvert and drainage installation, and graveling or capping of roadbed.
6. Management actions within riparian areas will be designed to maintain or, where possible, improve riparian habitat condition.
7. All power poles and potential raptor perches within a 2-mile radius of a potentially active sage grouse lek will include anti-perching devices, placed underground, or otherwise designed to eliminate use by raptors.
8. Noxious weeds that may be introduced due to soil disturbance and reclamation will be treated by methods to be approved by the AO. These methods may include biological, mechanical, or chemical. Should chemical methods be approved, the lessee must submit a Pesticide Use Proposal to the AO 60 days prior to the planned application date.

Reclamation and Abandonment

1. A water well may be accepted by the Carson City Field Office upon completion of operations. Please submit the following information to the Office:
 - Water Analysis
 - Type of inside diameter of casing used in well
 - Total depth of well
 - Depth of concrete seal
 - Depth of static water level
 - Water bearing formation or description of aquifer
2. The operator or contractor will contact the AO 48 hours prior to reclamation work.
3. Restoration work may not begin on the well site until the reserve pits are completely dry.
4. Disturbed areas will be recontoured to blend as nearly as possible with the natural topography prior to revegetation. This includes removing all berms and refilling all

cuts. Compacted portions of the pad will be ripped to a depth of 12 inches unless in solid rock.

5. Site preparation for reclamation may include contour furrowing, terracing, reduction of steep cut and fill slopes, and the installation of water bars, etc.
6. All portions of the access roads not needed for other uses as determined by the AO will be reclaimed.
7. The stockpiled topsoil will be spread evenly over the disturbed area.
8. The operator will be required to construct water bars and re-open drainages on abandoned access roads and pipeline routes to minimize erosion as required. Water bars will be spaced appropriately dependent upon topography and slope. Pipeline routes shall be water-barred perpendicular to the fall line of the slope.
9. The area is considered to be satisfactorily reclaimed when all disturbed areas have been recontoured to blend with the natural topography, erosion stabilized and an acceptable vegetative cover has been established. The Nevada Guidelines for Successful Revegetation for the Nevada Division of Environmental Protection, the Bureau of Land Management and the US Forest Service will be used to determine if revegetation is successful.
10. Rehabilitation shall be planned on the sites of both producing and abandoned wells. The entire site or portion thereof, not required for the continued operation of the well, should be restored as nearly as practical to its original condition. Final grading of back-filled and cut slopes will be done to prevent erosion and encourage establishment of vegetation.
11. Petroleum products such as gasoline, diesel fuel, helicopter fuel, crankcase oil, lubricants, and cleaning solvents used to fuel, lubricate, and clean vehicles and equipment will be containerized in approved containers.
12. Hazardous material shall be properly stored in separate containers to prevent mixing, drainage, or accidents. Hazardous materials shall not be drained onto the ground or into streams or drainage areas.
13. Totally enclosed containment shall be provided for all solid construction waste including trash, garbage, petroleum products, and related litter will be removed to an authorized sanitary landfill approved for the disposal of these classes of waste.
14. All construction, operation, and maintenance activities shall comply with all applicable Federal, State, and local laws and regulations regarding the use of hazardous substances and the protection of air and water quality.

15. In construction areas where recontouring is not required, vegetation will be left in place wherever possible and the original contour will be maintained to avoid excessive root damage and allow for resprouting.
16. Watering facilities (e.g. – tanks, developed springs, water lines, wells, etc) will be repaired or replaced if they are damaged or destroyed by construction activities to its predisturbed condition as required by the AO.
17. When sites are abandoned, they will be inventoried for the presence of noxious weeds and treated if noxious weeds are present.
18. Seed and mulch used to reclaim disturbed areas must be weed free. Mulching of the seedbed following seeding may be required under certain conditions (i.e. – expected severe erosion), as determined by the AO.
19. Seed will be broadcast between October 1 and March 15 using a site-specific seed mixture and depth of planting as determined by the AO. Seed may be applied with a rangeland drill at half the rate of broadcast seeding. All seeding application rates will be in pounds of pure live seed per acre. Seed should be adapted varieties.

Attachment C

GEOTHERMAL LEASE STIPULATIONS

The following lease stipulations have been developed as mitigating measures for geothermal leasing and other reasonably foreseeable development activities with regard to geothermal exploration and development within the Carson City Field Office.

Bureau of Reclamation Stipulation

The Lessor reserves the ownership of brines and condensates and the right to receive or take possession of all or any part thereof following the extraction or utilization by Lessee of the heat energy and byproducts other than demineralized water associated therewith subject to such rules and regulations as shall be prescribed by the Secretary of the Interior. If the Lessor elects to take the brines and condensates, the Lessee shall deliver all or any portion thereof to the Lessor at any point in the Lessee's geothermal gathering system after separation of the steam and brine products or from the disposal system as specified by the Lessor for the extraction of said brines and condensates by such means as the Lessor may provide and without cost to the Lessee. There is not obligation on the part of the Lessor to exercise its reserved rights. The Lessor shall not be liable in any manner if those rights are not exercised, and, in that event, the Lessee shall dispose of the brines and condensates in accordance with applicable laws, rules and regulations.

The Lessor reserves the right to conduct on the leased lands, testing and evaluation of geothermal resources which the Lessor determines are required for its desalination research programs for utilization of geothermal fluids. These programs may include shallow temperature gradient hole underground exploration, if they are conducted in a manner compatible with lease operations and the production by Lessee of geothermal steam and associated geothermal resources. Lessor reserves the right to erect, maintain, and operate any and all facilities, pipelines, transmission lines, access roads, and appurtenances necessary for desalination on the leased premises. Any desalting plants, piping, wells, or other equipment installed by the Lessor on the leased premises shall remain the property of the Lessor; and the Lessee shall conduct his operations in a manner compatible with the operation and maintenance of any desalting plants, piping, wells, or other equipment installed by the Lessor. Any brines and condensates removed by the Lessor shall be replaced without cost to the Lessee with fluids as compatible with reservoir fluids as the brines or condensates that the Lessor removed and where the Lessor and Lessee determine that they are needed by the Lessee for his operation or for reinjection into the geothermal anomalies.

The Lessor and the Lessee, if authorized by law, may enter into cooperative agreements for joint development and production of geothermal resources from the leased premises consistent with applicable laws and regulations.

Any geophysical, geological, geochemical, and reservoir hydraulic data collected by either the Bureau of Reclamation or the Lessee will be made available upon request to the other party, and the data furnished to Reclamation by the Lessee shall be considered confidential so long as the following conditions prevail:

- a. Until the Lessee notifies Reclamation that there is no requirement to retain the submitted data in confidential status or until Lessee relinquishes all interest in the leased area from where the information was obtained.
- b. Reclamation shall not incorporate data received from the Lessee in its publications or reports during the period that confidential data are being retained without written authorization from the Lessee.
- c. Information obtained by Reclamation, and upon request submitted to the Lessee, shall not be used in publications or reports issued by Lessee without written consent of Reclamation until the data have been published or otherwise given distribution by Reclamation.

The United States reserves the right to flood, seep and overflow the lands, permanently or intermittently, in connection with the operation or maintenance of the Newlands Project.

The Lessee will not interfere with the operation and maintenance of the Newlands Project. Prior to use of operation or maintenance roads within the Newlands Project, the Lessee will notify the AO in order to be appraised of areas that should be avoided to prevent interference with the operation and maintenance of the project. Reclamation will review all road or bridge crossing, piping or closure of any Newlands Project feature, and review NEPA and Cultural clearances on an individual basis.

There is also reserved to the United States, the right of its officers, agents, employees, licensees and permittees, at all proper times and places freely to have ingress to, passage over, and egress from all of said lands for the purpose of exercising, and protecting the rights reserved herein.

The Lessee further agrees that the United States, its officers, agents and employees and its successors and assigns shall not be held liable for any damage to the Lessee's improvements or works by reason of the exercise of the rights here reserved; nor shall anything contained in this paragraph be construed as in any manner limiting other reservations in favor of the United States contained in this lease.

The lands subject to this stipulation include all or part of the following lease sections:

Salt Wells Lease Area

- T. 17 N., R. 30 E., sections 05, 06, 07 and 08;
- T. 17N., R. 29 E., sections 01 and 02;
- T. 18 N., R. 29 E. section 35;
- T. 18 N., R. 30 E., sections 05 and 06;
- T. 19 N., R. 30 E., sections 29, 31, 32, and 33.

Hazen Lease Area

- T. 19 N., R. 26 E., section 04;
- T. 20 N., R. 25 E., section 22;
- T. 20 N., R. 26 E., sections 30 and 32.

US Forest Service Stipulation

For leases within Forest Service lands, the lessee/operator must comply with all the rules and regulations of the Secretary of Agriculture set forth in Title 36, Chapter II of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of Interior in the lease/permit. The secretary of Agriculture's rules and regulations must be complied with for:

1. all use and occupancy of the NFS lands prior to approval of an exploration plan by the Secretary of Interior;
2. uses of all existing improvements, such as forest development roads, within and outside the area permitted by the Secretary of Interior; and
3. use and occupancy of the NFS lands not authorized by an exploration plan approved by the Secretary of Interior.

As a condition to the consent to the issuance of this lease, the Forest Service reserves the right to either consent to the approval of the surface use plan or the joint approval with the BLM of any surface operations conducted under the term of the lease.

On lands administered by the Forest Service, no occupancy or other surface disturbance will be allowed on slopes in excess of 40 percent.

On lands administered by the USFS, no drilling will be allowed within 200 feet of historic sites.

Surveys for USFS sensitive species will be conducted prior to initiating any ground disturbing activities.

The Forest Service will be consulted with regarding the location of Sage Grouse strutting grounds (leks), and breeding, nesting, and brooding habitats. The distances and times that these areas will be avoided will be determined by the Forest Service.

The lands subject to this stipulation include all or part of the following lease sections:

South Aurora Lease Area

- T. 5 N., R. 28 E., sections 02, 03, 04, 05, 09, 10, 11, 15, and 16;
- T. 6 N., R. 28 E., sections 13, 14, 22, 23, 24, 26, 27, and 28; and
- T. 7 N., R. 27 E. sections 30, 31, 32, and 33.

Material Site Stipulation

The Lessee accepts this lease subject to the right of the State of Nevada to remove material from the land embraced in Material Sites and agrees that operations performed by the lessee will not interfere with operations of the State of Nevada, Department of Transportation.

The lands subject to this stipulation are described as all potential lease sections.

Contingency Rights Stipulation

BLM has reviewed existing information and planning resources documents and, except as noted in other attached stipulations, knows of no reason why normal development, subject to the controls of applicable laws and regulations and the lease terms and conditions, can not proceed on the leased lands. However, specific development activities could not be identified prior to lease issuance since the nature and extent of geothermal resources were not known and specific operations have not been proposed. The lessee is hereby made aware that consistent with 43 CFR 3200.4, all post lease operations will be subject to appropriate environmental review and may be limited or denied only if unmitigable and significant impacts on other land uses or resources would result.

The lands subject to this stipulation are described as all potential lease sections.

Special Stipulations for All Leases in Carson City Field Office Management Area

The following mitigating measures are to be included as special stipulations on all geothermal leases issued in the Carson City Field Office Management area. The lessee shall comply with the following special conditions and stipulations unless they are modified by mutual agreement of the Lessee and the Authorized Officer (AO):

1. No surface occupancy or disturbance will be allowed within 650 feet (horizontal measurement) of any surface water bodies, riparian areas, wetlands, playas, or 100-year floodplains to protect the integrity of these resources (as delineated by the presence of riparian vegetation and not actual water). Other buffer zones and areas of restricted surface occupancy may be required to protect other resource values, including but not limited to, critical or rare or endangered species habitat.
2. Endangered Species Act Section 7 Consultation: The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modifications of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act, 16 USC § 1531 *et seq.*, as amended, including completion of any required procedure for conference or consultation.
3. BLM IM 2005-003: This lease may be found to contain historic properties or resources protected under the National Historic Preservation Act, American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, EO 13007, or other statutes and executive orders. The BLM will not approve any ground-disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require exploration or development proposals to be modified to protect such properties, or it may disapprove any activity that is likely to result in adverse effects that could not be successfully avoided, minimized, or mitigated.
4. To secure specific compliance with the stipulations under Section 6, paragraph (2) of the geothermal resources lease form, the lessee shall, prior to operations, furnish to the AO a certified statement that either no archaeological values exist

or that they may exist on the leased lands to be disturbed or occupied, to the best of the lessee's knowledge and belief, and that they might be impaired by geothermal resource operations. Such a certified statement must be completed in compliance with the BLM Nevada State Protocol by an archaeologist permitted by BLM for the Carson City Field Office.

If the lessee furnishes a statement that archaeological values may exist where the land is to be disturbed or occupied, the lessee will engage a qualified archaeologist, acceptable to the AO, to survey and salvage, in compliance with the BLM Nevada State Protocol, in advance of any operations, such archaeological values on the lands involved. The responsibility for the cost for the certificate, survey and salvage will be borne by the lessee, and such salvaged property shall remain the property of the Lessor or the surface owner.

5. Surface occupancy and use is subject to all valid existing surface rights.

The lands subject to this stipulation are described as all potential lease sections.

6. Special Stipulation for Water Resources: As exploration and development activities begin, the lessee will institute and pay for a hydrologic monitoring program, which will be site specific and its intensity will be commensurate with the level of exploration. For example, if the proponent were to conduct seismic studies, the monitoring would be limited to identifying water resources to be monitored as activities continue; if a drilling program were to be undertaken, the number of aquifers encountered, their properties, their quality, and their saturated thickness would be documented. The information collected would be submitted to the BLM and would be used to support future NEPA documentation as development progresses. Adverse impacts on surface expressions of the geothermal reservoir (hot springs), and threatened and endangered species habitat are not acceptable. The lessee will monitor the quality, quantity, and temperature of any hot springs or other water resource within the project area when conducting activities that could affect those resources. If adverse impacts do occur, the BLM will require the lessee to take corrective action to mitigate the impact. Corrective action may include shutting down the operation. These are lease stipulations, not operational, and the information gathered under the monitoring stipulation will be used to identify future impacts at the operational stage.

7. Special Stipulation for Native American Consultation: All proposed exploration and development is subject to the requirement for Native American consultation before the BLM will authorize the activity. Depending on the nature of the proposed lease development and the resource of concern, the time to complete Native American consultation and to conduct any mitigation measures may extend the time for authorization. It may also change the ways in which

developments are implemented. New lease applications would require Native American consultation.

Special Stipulations for Specific Leases in Carson City Field Office Management Area

The following mitigating measures are to be included as special stipulations on geothermal leases issued for specific areas in the Carson City Field Office Management area. The lessee shall comply with the following special conditions and stipulations unless they are modified by mutual agreement of the Lessee and the Authorized Officer (AO):

No surface occupancy or use will be permitted on lands under lease pursuant to the Recreation and Public Purposes Act of 1926, as amended.

The lands subject to this stipulation are described as:

Steamboat Lease Area

- T. 17 N., R. 19 E., section 12;
- T. 17 N., R. 20 E., section 08.

Wabuska Lease Area

- T. 15 N., R. 25 E., section 22.

Hanthorne Lease Area

- T. 8 N., R. 30 E. sections 31, and 32.

No surface occupancy will be permitted on public lands surrounding the City of Fallon landfill, which are designated for disposal in the Resource Management Plan, unless specifically approved by the AO of the Carson City Field Office.

The lands subject to this stipulation include all or portions of:

Lee Hot Springs Lease Area

- T. 16 N., R. 29 E., sections 20 and 21.

No surface occupancy will be permitted on public lands in which BLM retains mineral rights but surface rights are held by private entities, so called “split-estate” lands.

The lands subject to this stipulation include all or portions of:

- T. 17 N., R. 20 E., section 8, E2, SENW, NESW, S2SW.

Surface occupancy or use will be coordinated with the Nevada Division of Wildlife for all lease activities within the Fernley State Wildlife Management Area in order to minimize impacts on wildlife management and recreational uses.

The lands subject to this stipulation include all or part of the Hazen Lease Area.

Surface occupancy or use will be coordinated with the US Fish and Wildlife Service and Nevada Division of Wildlife for all leasing activities within 1 mile of the Stillwater National Wildlife Refuge or and Stillwater Wildlife Management Area to minimize impacts on wildlife management and recreational uses.

The lands subject to this stipulation include all or part of the Salt Wells Lease Area.

Surface use on Navy-withdrawn lands will be limited to a maximum height of 50 feet for all activities. All lease activities will be coordinated with US Navy, NAS Fallon.

The lands subject to this stipulation include all or part of:

Lee Hot Springs Lease Area

- T. 15 N., R. 29 E., sections 4, 9, 16, and 21.

No surface occupancy will be permitted on public lands that have high resource value.

The lands subject to this stipulation include all or part of:

Lee Hot Springs Lease Area

- T. 16 N., R. 29 E., Sections 19, 20, 27, 28, 33, 34.