

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

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SERIAL NUMBER MTM-92641

1. A right-of-way is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

2. Nature of Interest:

a. By this instrument, the holder:

BMP Investments, Inc.  
3203 3<sup>rd</sup> Ave North #305  
Billings, Montana 59101

receives a right to operate, maintain, and terminate two environmental monitoring wells and a road right-of-way, on public lands described as follows:

T. 6 N., R. 27 E., sec 10, N1/2NW1/4

b. The right-of-way or permit area granted herein is 10 feet wide, 2,640 feet long and contains 0.606 acre, more or less. The well monitoring site is approximately 20 feet x 20 feet, the facility contains 0.009 acre.

c. This instrument shall terminate in 20 years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.

d. This instrument may be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.

e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and

shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

4. Terms and Conditions:

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations and maps, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

### Special Stipulations

- g. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
- h. Use of pesticides shall comply with the applicable Federal and state laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the holder shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.
- i. The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods (within limits imposed in the grant stipulations).
- j. The holder of this right-of-way grant or the holder's successor in interest shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and the regulations of the Secretary of Interior issued pursuant thereto.
- k. No monitoring activities shall be performed during periods when the soil is too wet to adequately support vehicles. If vehicles create ruts in excess of 3 inches deep, the soil shall be deemed too wet to adequately support vehicles.
- l. The holder shall conduct all activities associated with the monitoring, operation, and termination of the right-of-way within the authorized limits of the right-of-way.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

BMP Investment by Landowner  
(Signature of Holder)

Eddie Bateson  
for Sandra S. Brooks

Land Manager Authorized Rep.  
(Title)

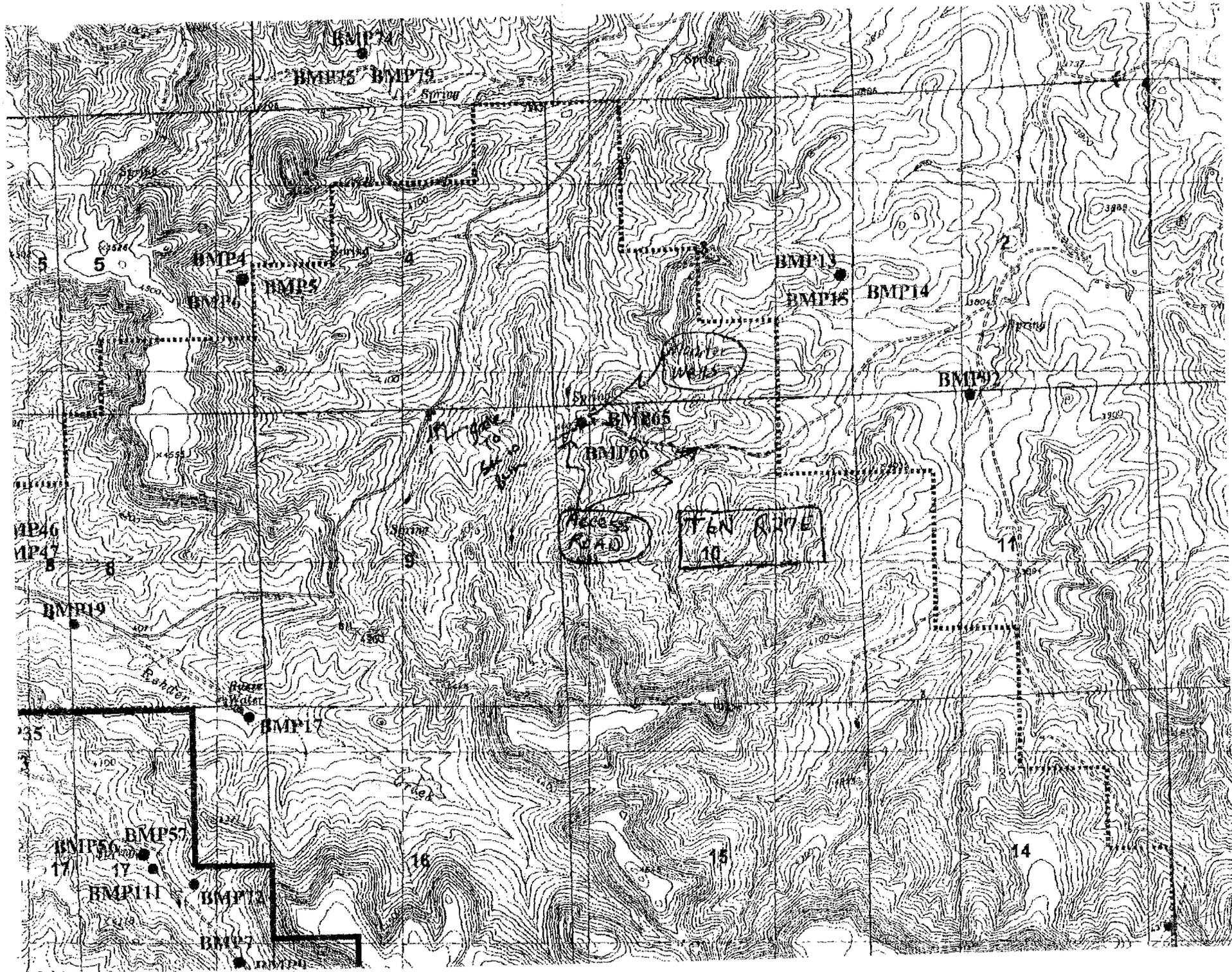
Field Manager

5-30-03

(Date)

5/30/03

(Effective Date of Grant)



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

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SERIAL NUMBER MTM-95598

1. A right-of-way is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).
2. Nature of Interest:
  - a. By this instrument, the holder:

BMP Investments, Inc.  
3203 3<sup>rd</sup>. Ave North #305  
Billings, Montana 59101

receives a right to operate, maintain, and terminate three (3) nested environmental monitoring wells and a road right-of-way, on public lands described as follows:

T. 6 N., R. 27 E., sec 32, W1/2SE1/4.
  - b. The right-of-way or permit area granted herein is a two track road 12 feet in width, and 2,300 feet in length, containing 0.633 acre. The well monitoring site is approximately 50 feet x 50 feet, this site contains 0.057 acre, more or less.
  - c. This instrument shall terminate in 10 years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
  - d. This instrument may be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.
  - e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment,

or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

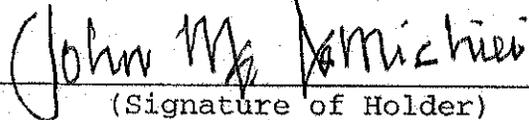
4. Terms and Conditions:

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations and maps, attached hereto, are ~~incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.~~
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the

environment and the health and safety of the public.

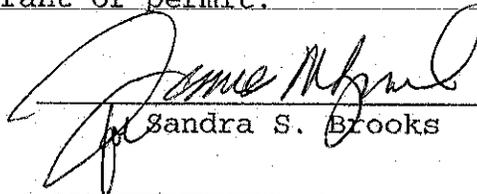
- g. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
- h. The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods (within limits imposed in the grant stipulations).
- i. No drilling or monitoring activities shall be performed during periods when the soil is too wet to adequately support vehicles. If vehicles create ruts in excess of 3 inches deep, the soil shall be deemed too wet to adequately support vehicles.
- j. The holder shall conduct all activities associated with the monitoring, operation, and termination of the right-of-way within the authorized limits of the right-of-way.
- k. The holder of this right-of-way grant or the holder's successor in interest shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and the regulations of the Secretary of Interior issued pursuant thereto.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

  
\_\_\_\_\_  
(Signature of Holder)

President/CEO  
\_\_\_\_\_  
(Title)

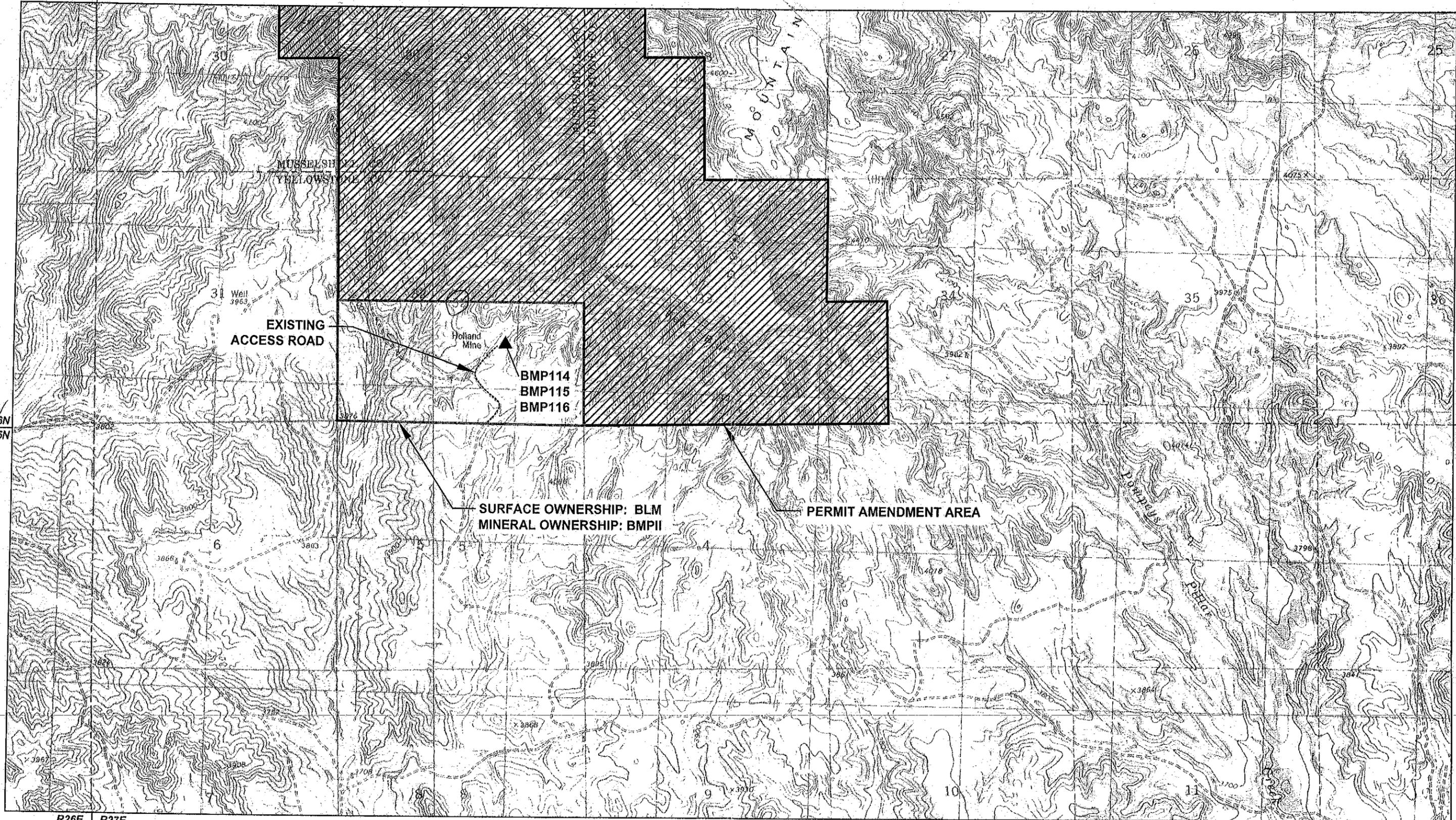
May 10, 2006  
\_\_\_\_\_  
(Date)

  
\_\_\_\_\_  
Sandra S. Brooks

\_\_\_\_\_  
Field Manager

June 14, 2006  
\_\_\_\_\_  
(Effective Date of Grant)

R26E R27E



**LEGEND**

-  PERMIT BOUNDARY
-  PROPOSED MONITORING WELLS
-  EXISTING ACCESS ROAD

SCALE: 1" = 2000'  
 PROJECTION: NAD 83 MONTANA STATE PLANE ZONE, US FOOT  
 SOURCE: TOPOGRAPHIC BASE MAP FROM USGS 7.5' QUADRANGLES: PARK COULEE, DUNN MOUNTAIN SOUTH.

REV.	DATE	BY	DESCRIPTION
0	3/30/06	P.D.B.	PREPARED FOR PERMIT SUBMITTAL

**BULL MOUNTAINS MINE NO. 1**  
**Permit 93017**  
 BMP INVESTMENTS, INC.  
 MUSSELSHELL AND YELLOWSTONE COUNTIES  
 MARCH 30, 2006  
 CONTOUR INTERVAL: 20 FEET  
**BLM MONITORING WELLS**  
**DETAIL 1**  
 Prepared by  
 P. BRANDON EVANS  
 MAP 304(5)-1a

JAN 25 2013

FORM 2800-14  
(August 1985)

Billings Field Office  
Billings, Montana

Issuing Office  
Billings Field Office

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

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SERIAL NUMBER MTM-104018

1. A right-of-way is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

2. Nature of Interest:

a. By this instrument, the holder:

Signal Peak Energy, LLC  
100 Portal Drive  
Roundup, Montana 59072

receives a right to construct, operate, maintain, and terminate a road right-of-way and utilize a stockpile/laydown area on public lands described as follows:

T. 5 N., R. 27 E., PMM  
Sec 4, NWNW,

T. 6 N., R. 27 E., PMM  
Sec 32, SWNW, S2,

Yellowstone County, Montana

- b. The road right-of-way area granted herein is 90 feet wide, 9,326 feet length, and an additional stockpile/laydown area of 4.636 acres, containing a total of 23.9 acres of public land, more or less.
- c. This instrument shall terminate in 5 years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. This instrument may be renewed. If renewed, the right-of-way or temporary use permit shall be subject to the regulations existing at the time of renewal and any

other terms and conditions that the authorized officer deems necessary to protect the public interest.

- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

4. Terms and Conditions:

- a. This grant and temporary use permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations and maps, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or temporary use permit shall constitute grounds for suspension or termination thereof.

- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

### **Special Stipulations**

- g. The holder shall fully indemnify or hold harmless the United States for any liability, for damage, or claims arising in connection with the holder's use and occupancy of the right-of-way.
- h. The holder shall comply with all State and Federal laws applicable to the authorized use and such additional State and Federal laws, along with the implementing regulations, that may be enacted and issued during the term of the grant.
- i. The right-of-way reserves to the Secretary of the Interior, or lawful delegates, the right to grant additional rights-of-way, leases, or easements for compatible uses over, under, within or adjacent to the lands involved in this grant.
- j. The holder shall conduct all activities associated with the construction, operation, maintenance, and termination of the right-of-way and the stockpile/laydown area within the authorized limits of the right-of-way.
- k. No debris or refuse shall be disposed of either within the right-of-way or on any other federal land. Instead, the holder shall dispose of all debris and refuse at legal off-site locations.
- l. Construction and reclamation of the road right-of-way shall occur at times of the year to minimize impacts to wildlife. Specifically, the time period of May 1<sup>st</sup> through July 15<sup>th</sup> will be avoided to prevent impacts to nesting sage grouse and migratory birds.
- m. Any cultural (prehistoric or historic site or object) and/or paleontological resource (fossils) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the Bureau of Land Management Authorized Officer. The holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder shall be responsible for the cost of evaluation and any decision as to proper mitigation measures that will be made by the Authorized Officer after consulting with the holder.
- n. Cultural resource site 24YL1078 is located within the designated soil stockpile area.

This site shall be flagged and avoided, no soil shall be stockpiled on or near site 24YL1078. For the exact location of this site please refer to the cultural survey for this project, page 7-3.

- o. The holder shall be responsible for preventive and corrective maintenance of noxious weeds on disturbed areas within the limits of the right-of-way grant throughout the duration of the project. Such preventative measures include power washing equipment before entering the project area, minimizing soil disturbance within the right-of-way project area, and detecting and eradicating any new noxious weed establishments. The holder is responsible for consultation with the Authorized Officer and/or local authorities for acceptable weed control methods (within the limits imposed in the grant stipulations).
- p. The holder shall not violate applicable air standards or related facility siting standards established by or pursuant to applicable Federal, State, or local laws or regulations. The Holder shall be responsible for dust abatement within the limits of the right-of-way area and is responsible for obtaining all necessary permits from appropriate authorities for acceptable dust abatement and control methods (e.g., water, chemicals). The Holder shall be solely responsible for all violations of any air quality permit, law or regulation, as a result of its action, inaction, use or occupancy of the right-of-way.
- q. The holder shall re-contour any disturbed areas and re-establish the approximate original contours of the land.
- r. The holder shall minimize vegetative disruption within the right-of-way and stockpile/laydown areas. All disturbed areas outside of the road running surface shall be fully re-vegetated to the satisfaction of the authorized officer. A fall drilling after November 1 is recommended with the following seed mix:

<b>Sagebrush-Grassland Bull Mtns.</b>	<b>Drilled rate pounds/acre PLS</b>
Bluebunch wheatgrass	3
Needle and thread	3
Western wheatgrass	3
Indian ricegrass	3
Purple prairie clover	1
Wyoming big sagebrush	0.5
<b>Total</b>	<b>13.5</b>

Seeded areas will be fertilized and mulched with noxious weed free straw. The mulch will be crimped into the soil to prevent being displaced by the wind. If the

holder elects to seed by broadcasting, the above drilled rate of pounds per acre needs to be doubled.

- s. At least 60 days prior to termination of the right-of-way, the holder shall contact the Authorized Officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree to an acceptable termination and rehabilitation plan. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant and temporary use permit.

*[Handwritten Signature]*  
(Signature of Holder)

VP Engineering  
(Title)

1/24/13  
(Date)

*[Handwritten Signature]*  
James M. Sparks

Field Manager

1-30-13  
(Effective Date of Grant)