

Exhibit B: Stipulations
NMNM130066

1. 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 the Interior issued pursuant thereto.
2. 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.
3. 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 the imposed in the grant stipulations).
4. Holder shall remove only the minimum amount of vegetation necessary for the construction of structures and facilities. Topsoil shall be conserved during excavation and reused as cover on disturbed areas to facilitate regrowth of vegetation.
5. No construction or routine maintenance activities shall be performed during the period when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of 5 inches deep, the soil shall be deemed too wet to adequately support construction equipment.
6. The holder will minimize disturbance to existing fences and other improvements on public land. The holder is required to promptly repair fences and/or improvements to at least their former state. Fences will be braced where the buried pipeline passes through and restored to their former conditions this includes the spacing in between the wires.
7. Construction-related traffic shall be restricted to the right-of-way boundaries and existing roads as approved by the authorized officer. New access roads or cross-country vehicle travel will not be permitted unless prior written approval is given by the authorized officer. Authorized roads used by the holder shall be subject to rehabilitation or maintenance depending on the condition in which they are in when construction activities are completed, as determine by the authorized officer.
8. The holder shall inform the authorized officer within 48 hours of any accidents on federal lands that require reporting to the Department of Transportation as required by 49 CFR Part 195.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

Issuing Office
Taos Field Office

Serial Number
NMNM130066

1. A (right-of-way) (permit) is hereby granted pursuant to:

- a. Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761);
- b. Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185);
- c. Other (describe) _____

2. Nature of Interest:

- a. By this instrument, the holder Santa Fe County receives a right to construct, operate, maintain, and terminate a buried water pipeline on public lands (or Federal land for MLA Rights-of-Way) described as follows:

**NMPM, Township 17 North, Range 8 East.
Section 35, lot 25.**

- b. The right-of-way or permit area granted herein is 70 feet wide, 1,600 feet long and contains 2.57 acres, more or less. If a site type facility, the facility contains n/a acres.
- c. This instrument shall terminate on December 31, 2043 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 may not 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.

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