

MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF LAND MANAGEMENT,
ELKO DISTRICT, TUSCARORA FIELD OFFICE,
NATIONAL PARK SERVICE,
AND THE
NEVADA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE HUNTINGTON VALLEY
OIL AND GAS EXPLORATION
PROPOSED ACTION,
ELKO COUNTY, NEVADA

WHEREAS, the Bureau of Land Management Elko District, Tuscarora Field Office, Elko, Nevada (BLM) plans the approval of Applications for Permit to Drill (APDs) and Rights-of-Way (ROWs) for the Huntington Valley Oil and Gas Exploration Project and Huntington Valley Environmental Assessment, DOI-BLM-E200-NV-2014-0003-EA, operated by Noble Energy, Inc. (Noble). Proposed exploration activities consist of drilling and completion, production, and reclamation of a maximum of twenty (20) oil and gas wells selected from thirty nine (39) potential well pad locations within an area administered by BLM; and

WHEREAS, BLM plans to issue permits for the Huntington Valley Oil and Gas Exploration Project pursuant to the Mineral Leasing Act of 1920 (30 U.S.C. § 181 et seq.), as amended and supplemented, and the Federal Land Policy Management Act (FLPMA) of 1976, 43 CFR 3150.0-3 and 43 CFR 3160.0.3, thereby making the Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. § 470f, and its implementing regulations, 36 CFR Part 800; and

WHEREAS, BLM has defined the undertaking's area of potential effect (APE) as 63,495 acres (See Map Attachment A) in the Huntington Valley area, approximately twenty one (21) miles south of Elko, Nevada; and

WHEREAS, BLM has determined that the undertaking will have an adverse indirect effect on the California National Historic Trail (26EK5150) a Historic Property eligible for listing in the National Register of Historic Places, and has consulted with the Nevada State Historic Preservation Office (SHPO) pursuant to 36 CFR part 800; and

WHEREAS, BLM has consulted on this undertaking with the official government and constituent Bands of the Te-Moak Tribe of the Western Shoshone Indians of Nevada, including Battle Mountain Band, South Fork Band, Wells Band, and the Elko Band; the Confederated Tribes of the Goshute Indian Reservation; the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation; the Duckwater Shoshone Tribe; the Yomba Shoshone Tribe; and the Ely Shoshone Tribe. (Government-to-government tribal consultation is documented in Attachment B: Consultation Record.) All Tribe and Band governments deferred officially to the South Fork Band as the appropriate consulting body. BLM has worked closely with the South Fork Band throughout the environmental analysis and Section 106 process; and

WHEREAS, BLM has consulted with the National Park Service (NPS) - National Trails Intermountain Region, the agency with lead accountability for the National Trails will sign as a signatory; and

WHEREAS, BLM has invited Noble to sign this MOA as an invited signatory; and

WHEREAS, BLM has consulted with the following organizations: Oregon-California Trails Association (OCTA), Oregon-California Trails Association Nevada Chapter, and Trails West regarding the effects of the undertaking on Historic Properties. All parties stated that they would like to be kept apprised of any adverse effects and mitigations measures; and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), BLM has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination providing the specified documentation, and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

NOW, THEREFORE, BLM, NPS, SHPO, and Noble agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on Historic Properties.

STIPULATIONS

BLM shall ensure that the following measures are carried out:

I. Avoidance

- A. BLM, in consultation with SHPO, shall insure that the undertaking will avoid any direct effects to Historic Properties that are determined eligible or of an

unevaluated determination for inclusion in the National Register of Historic Places.

- B. Indirect effects, visual and/or auditory, will be addressed by Noble through their compliance with all applicable provisions in Stipulations II, III, IV, and V (Attachment D).

II. Effects to be Minimized.

- A. Design measures (Attachment E) created to minimize and mitigate indirect effects, are proscribed to address the specific well pads for the adverse visual effects on the California National Historic Trail – Hastings Cutoff (CNHT).
- B. At the completion of project activities, Noble will implement landscape reclamation in accordance with the Reclamation Plan (Huntington Valley Environmental Assessment). The reclamation will restore the land to a character similar to what existed prior to project disturbance. The reclamation will include landforms that have been restored to the same contour and similar vegetation that occurred prior to the project disturbance.

III. Offsite Mitigation of Indirect Adverse Effects to the CNHT from Planned Actions.

- A. Noble shall provide contributions (Attachment C) to aid in the support of off-site mitigation.
- B. Off-site mitigation will offset indirect adverse effects to the CNHT through the exploration, documentation, and education of the public on the impacts of the CHNT on indigenous populations in the northern Great Basin. This off-site mitigation will be accomplished in order of the listed priority, will include as much of the following four Priorities as fiscally allowable, but will accomplish no less than all of the defined Priority 1 deliverables:
 - 1. Priority 1: Conduct an ethnographic research project, focusing on the effects of the California Trail on the Western Shoshone peoples of Northern Nevada.
 - a. Work on this Priority will begin within one (1) year of project initiation.
 - b. Work completion will not exceed five (5) years.
 - c. At the discretion of the individual Tribes/Bands, the ethnographic work could include any or all of the following groups: Te-Moak Tribe of

Western Shoshone Indians of Nevada and its constituent Bands (South Fork, Wells, Elko, and Battle Mountain) and the Confederated Tribes of the Goshute Indian Reservation.

- d. The final product would include interview transcripts (public and confidential) and a summary report. "Public" information could be utilized for future interpretation, education, and research endeavors. "Confidential" information will be defined by the interviewees and/or tribal governments, and be held in the secure files at BLM.
 - e. BLM will supply participating tribe/band governments with copies of all final products, public and confidential.
2. Priority 2: Include Tribal communities in the education, outreach, and interpretation of the Trail experience by:
 - a. Creating and establishing, through Tribal Consultation, a protocol defining Tribal inclusion, participatory opportunities, and expression of Tribal voice in the development of future educational information at auto stops, kiosks, and other public education outlets, and
 - b. Utilizing the ethnographic information (Priority 1) for the creation of side-by-side interpretive panels along the Trail that discuss the subsequent trapper, military, pioneer and miner trail experiences on one panel and the Tribal experience from the Tribes' perspective on the other panel. Suggested locations include, but would not be limited to, the established California Trail Center entrance information portal and the established Carlin Canyon information kiosks.
3. Priority 3: Underwrite a book or booklet based on the trail experience ethnographies (Priority 1) in collaboration with the Tribal/Band governments to maintain culturally appropriate content and language. Topic: Experiences of the Trail: Tribal Life Before and After the California Migration. The general subject matter would involve and highlight the tribal experience of the Trails and the effects on tribal life. This work could include utilizing a BLM or NPS ghost writer at the BLM and Tribe/Band's collaborative discretion.

IV. Duration

This MOA will expire if its stipulations are not carried out within twenty (20) years from the date of its execution. At such time, and prior to work continuing on the undertaking, BLM shall either (a) execute a MOA pursuant to 36 C.F.R. § 800.6, or (b) request, take into

account, and respond to the comments of the ACHP under 36 C.F.R. § 800.7. Prior to such time, any signatory to this instrument may request review, reconsideration, and/or amendment of the MOA in accordance with Stipulation VIII below.

V. Post-Review Discoveries

If potential Historic Properties are discovered or unanticipated effects on Historic Properties are found, BLM shall implement the inadvertent discovery plan included as Attachment F of this MOA. Post-review discoveries must be avoided until the BLM issues a Notice to Proceed.

VI. Monitoring and Reporting

Monitoring of the indirect adverse effects of the planned activities to the CNHT shall include auditory survey(s) of the trail corresponding to the protocol and locations of the original 2013 auditory survey, data collection, and modeling (Hayden Wing, 2013). Each auditory survey will occur within 6 months of the completion of the installation of four (4) well pads.

For each monitoring auditory survey, the determination of previously established Key Auditory Points (KAPs) to be utilized will be determined by BLM in consultation with SHPO, NPS, and Noble and will take into consideration the newly installed well pad locations' potential impact to the CNHT. This could include selecting specific KAPs to one or more stretches along the CNHT which are of moderate to high potential for indirect impact to the CNHT with the inclusion of an established KAP outside the moderate to high potential area(s) as scientific control, if appropriate.

If the monitoring data indicates a detrimental increase of indirect impacts to either the recreation experience as defined by National Park Service recreation experience auditory standards or National Register of Historic Places eligibility the as defined by the NPS standards, BLM in consultation with SHPO, NPS, and Noble, will reassess the off-site mitigation needs.

The organization implementing the off-site mitigation priority activities will provide the BLM with progress reports as each priority activity is accomplished. Such reports shall include any scheduling demands, any problems encountered, and any disputes and objections received in response to BLM's efforts to carry out the terms of this MOA.

VII. Dispute Resolution

Should any signatory or concurring party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, BLM shall consult with such party to resolve the objection. If BLM determines that such objection cannot be resolved, BLM will proceed as described below.

A. Disputes Involving BLM, NPS, and/or SHPO

1. The BLM, NPS, or the SHPO may object to an action proposed or taken by the other pursuant to this agreement. When informal resolution is not effective or satisfactory, the objecting party shall notify the other party in writing of the objection. Within seven (7) calendar days following receipt of notification, the parties shall initiate a formal thirty (30) calendar day consultation period to resolve the objection. If the objection is resolved within this time frame, the parties shall proceed in accordance with the terms of that resolution.
2. If the objection cannot be resolved, and if the objecting party has not requested review by the ACHP under II.D.3 of the 2012 Nevada State Protocol Agreement, the SHPO shall refer the objection to the ACHP. The State Director shall make a final decision regarding the resolution of the objection and shall notify the objecting party, the SHPO, and the ACHP of that decision in writing. The objection shall thereby be resolved. In reaching a final decision regarding the objection, the State Director shall take into account any comments received from the objecting party, the SHPO, and the ACHP pursuant to this paragraph. Any objection filed pursuant to this paragraph shall not prevent the BLM from proceeding with project planning; however, project implementation shall be deferred until the objection is resolved pursuant to the terms of this paragraph.

B. Disputes by a Member of the Public or a Federally Recognized Indian Tribe or Individual.

1. If a Member of the Public or a Federally recognized Indian Tribe objects at any time in writing to the manner in which this MOA is being implemented, the BLM shall consult with the objecting party for a period not to exceed thirty (30) days and, if the objecting party requests, consult with the SHPO, to

resolve the objection. If the objecting party and the BLM resolve the objection within thirty (30) days, the BLM shall proceed in accordance with the terms of that resolution. The BLM should inform SHPO of any objections and the outcome of attempts at resolution within ten (10) days after the period of resolution has expired.

2. If the objection cannot be resolved, and if the objecting party has not requested review by the ACHP under II.D.3 of the 2012 Nevada State Protocol Agreement, the SHPO shall refer the objection to the ACHP. The State Director shall make a final decision regarding the resolution of the objection and shall in writing notify the objecting party, the SHPO, and the ACHP of that decision. The objection shall thereby be resolved. In reaching a final decision regarding the objection, the State Director shall take into account any comments received from the objecting party, the SHPO, and the ACHP pursuant to this paragraph. Any objection filed pursuant to this paragraph shall not prevent the BLM from proceeding with project planning; however, project implementation shall be deferred until the objection is resolved pursuant to the terms of this paragraph.

C. If Objection is Sent to the ACHP:

1. The ACHP shall provide BLM with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, BLM shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. BLM will then proceed according to its final decision.
2. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, BLM may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, BLM shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.
3. BLM will remain responsible for continued implementation of all other actions subject to the terms of this MOA that are not the subject of the dispute.

VIII. Amendments

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

IX. Termination

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation IX, above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the undertaking, BLM must either (a) execute an MOA pursuant to 36 CFR § 800.6, or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. BLM shall notify the signatories as to the course of action it will pursue.

EXECUTION of this MOA by BLM, NPS, and SHPO and implementation of its terms evidence that BLM has taken into account the effects of this undertaking on Historic Properties and afforded the ACHP an opportunity to comment.

SIGNATORIES:

Bureau of Land Management, Elko District

Richard E. Adams
Tuscarora Field Office Manager

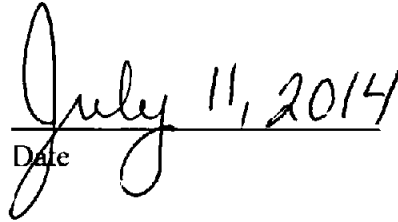
Date

Nevada State Historic Preservation Officer

A handwritten signature in black ink, appearing to read "Rebecca L. Palmer", written over a horizontal line.

Rebecca L. Palmer

Nevada State Historic Preservation Officer

A handwritten date "July 11, 2014" in black ink, written over a horizontal line.

Date

National Park Service- Western Region

Aaron Mahr
Superintendent

Date

INVITED SIGNATORIES:

Noble Energy, Inc.

Kevin Vorhaben

Rockies/Frontier Business Unit Manager

Date

CONCURRING PARTIES:

Te-Moak Tribe of Western Shoshone Indians of Nevada

By: _____ Date: _____

Title: _____

Battle Mountain Band

By: _____ Date: _____

Title: _____

South Fork Band

By: _____ Date: _____

Title: _____

Elko Band

By: _____ Date: _____

Title: _____

Wells Band

By: _____ Date: _____

Title: _____

Shoshone-Paiute Tribes of the Duck Valley Indian Reservation

By: _____ Date: _____

Title: _____

Ely Shoshone Tribe

By: _____ Date: _____

Title: _____

Yomba Shoshone Tribe

By: _____ Date: _____

Title: _____

Confederate Tribes of the Goshute Indian Reservation

By: _____ Date: _____

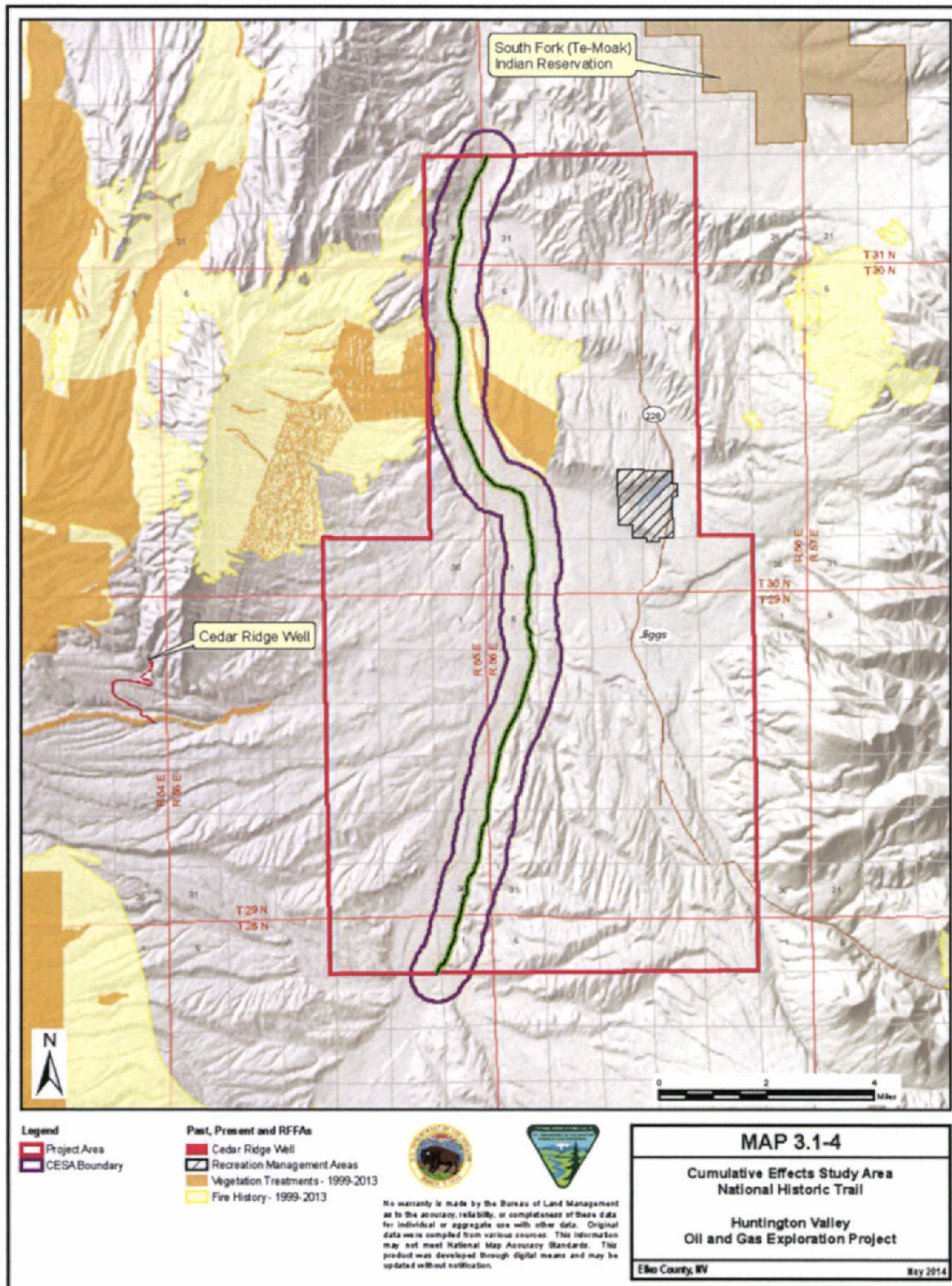
Title: _____

Duckwater Shoshone Tribe

By: _____ Date: _____

Title: _____

Attachment A:
Project Area Map



**Attachment B:
Consultation Record**

Tribal Government Consultation Record:

	Contact date, type
Te-Moak Tribe of Western Shoshone Indians of Nevada 525 Sunset Street Elko, Nevada 89801 775-738-9251	9/17/2013, correspondence, initial CNHT mitigation and monitoring 11/19/2013, Tribal Council Meeting 5/7/2014, Tribal Council Meeting
Battle Mountain Band 37 Mountain View Battle Mountain, Nevada 89820 775-635-8016	9/17/2013, correspondence, initial CNHT mitigation and monitoring 11/20/2013, Band Council Meeting - Cancelled
Elko Band 511 Sunset Street Elko, Nevada 89803 775-738-8889	9/17/2013, correspondence, initial CNHT mitigation and monitoring 11/27/2013, Band Council Meeting
South Fork Band 21 Lee B-13 Spring Creek, Nevada 89815 775-744-4273	9/17/2013, correspondence, initial CNHT mitigation and monitoring 11/18/2013, Band Council Meeting
Wells Band PO Box 809 Wells, Nevada 89835 775-345-3086	9/17/2013, correspondence, initial CNHT mitigation and monitoring 11/18/2013, Band Council Meeting
Yomba Shoshone Tribe HC 61, Box 6275 Austin, Nevada 89310 775-964-24632	9/17/2013, correspondence, initial CNHT mitigation and monitoring
Confederate Tribes of the Goshute Indian Reservation PO Box 6104 195 Tribal Center Road Ibapah, Utah 84034 435-234-1138	9/17/2013, correspondence, initial CNHT mitigation and monitoring
Shoshone-Paiute Tribes of the Duck Valley Indian Reservation PO Box 219 1008 Idaho State Highway 51 Owyhee County, Idaho 83604 208-759-3100	9/17/2013, correspondence, initial CNHT mitigation and monitoring
Ely Shoshone Tribe 16 Shoshone Circle Ely, Nevada 89301 775-289-3013	9/17/2013, correspondence, initial CNHT mitigation and monitoring
Duckwater Shoshone Tribe PO Box 140068 Duckwater, Nevada 89314 775-863-0227	9/17/2013, correspondence, initial CNHT mitigation and monitoring

Congressionally Designated California National Historic Trail
Groups of Interest (as per BLM Manual 6280)

	Contact date, type
State Historic Preservation Officer 901 South Stewart Street, Suite 5004 Carson City, Nevada 89701 775-684-3448	9/17/2013, correspondence, initial CNHT mitigation and monitoring
NPS National Trails-Intermountain Region Salt Lake City Field Office 324 S. State St., Suite 200 Salt Lake City, UT 84111 801-741-1012	6/6/13: Kreutzer, L. email 6/6/13: Kreutzer, L. phone conversation 7/15/13: Stanley, R. 9/17/2013, correspondence, initial CNHT mitigation and monitoring 3/5/14: Kreutzer, L. Teleconference
Oregon-California Trails Association PO Box 1019 Independence, MO 64051-0519 816-252-2276	9/17/2013, correspondence, initial CNHT mitigation and monitoring
OCTA CA-NV Chapter Oregon-California Trails Association P.O. Box 1521 Yreka, CA 96097	9/17/2013, correspondence, initial CNHT mitigation and monitoring
Trails West, Inc. P.O. Box 1245 Reno, NV 89510	9/17/2013, correspondence, initial CNHT mitigation and monitoring
California Trial Interpretive Center Bureau of Land Management 3900 East Idaho Street Elko, NV 89801	7/17/13: Koy, G. Field Visit 9/17/2013, correspondence, initial CNHT mitigation and monitoring 11/29/13: Koy, G. email
Dave Mermejo, National Trails Lead Bureau of Land Management Nevada State Office 1340 Financial Blvd. Reno, NV 89502	
Bryan Hockett, Cultural Resource Lead Bureau of Land Management Nevada State Office 1340 Financial Blvd. Reno, NV 89502	6/26/13: Hockett, B. 8/28/13: Hockett, B. email 9/17/2013, correspondence, initial CNHT mitigation and monitoring 1/21/13: Hockett, B. email

**Attachment C:
Indirect Adverse Effect Mitigation
Financial Compensation**

Noble will provide funding in the amount of \$150,000 to a BLM Contribution account prior to any ground-disturbing project-related activities in proximity to the Hastings Cutoff that are associated with the Huntington Valley Oil and Gas Exploration Project Environmental Assessment (DOI-BLM-E200-NV-2014-0003-EA).

These funds will be used by BLM solely for the Priorities as stated in III.A and III.B, to mitigate for the indirect visual adverse effects as described in the in the Huntington Valley Oil and Gas Exploration Project Environmental Assessment (DOI-BLM-E200-NV-2014-0003-EA).

**Attachment D:
Historic Properties within the APE**

Table 11. Summary of Management Recommendations.

Site No.	Site Type	Theme	Project Element	NRHP Recommendation	Recommended Action
EK11085	Lithic scatter	None	Access Road	Not eligible	No action
EK11094	Lithic scatter	None	Source	Not eligible	No action
EK2250	Lithic scatter	None	Access	Not eligible	No action
EK2255	Lithic scatter	None	Source	Eligible	Avoid site by 30 m (100 ft)
EK2262	Lithic scatter	None	Drive around, receiver line	Not eligible	No action
EK2264	Lithic scatter	None	Access	Not eligible	No action
EK2387	Elko and Hamilton Road	Transportation	Source, receiver, access road	Eligible	Avoid site by 30 m (100 ft)
EK2388	Hill Beachy Road	Transportation	Source, receiver, access road	Eligible	Avoid site by 30 m (100 ft)
EK2467	Lithic scatter	None	Source	Eligible	Avoid site by 30 m (100 ft)
EK2486	Lithic scatter	None	Source, receiver, road	Eligible	No action
EK2488	Lithic scatter	None	Source	Not eligible	Avoid by 100m
EK5150	CNHT - Hastings Cutoff	Transportation	Source, receiver, access road	Eligible	Avoid site by 30 m (100 ft)
EK6501	Lithic scatter	None	Source	Eligible	No action
EK6502	Lithic scatter	None	Source	Not eligible	No action
EK7307	Lithic scatter	None	Receiver	Not eligible	No action
EK7314	Lithic scatter	None	Source	Eligible	Avoid site by 30 m (100 ft)
EK13424	Lithic scatter	None	Receiver Access	Not eligible	No action
EK13425	Lithic scatter	None	Source	Not eligible	No action
EK13426	Lithic scatter	None	Source	Not eligible	No action
EK13427	Lithic scatter	None	Source	Not eligible	No action
EK13428	Lithic scatter	None	Source	Not eligible	No action
EK13429	Lithic scatter	None	Source	Not eligible	No action
EK13430	Lithic scatter	None	Source, access rd, fence access	Not eligible	No action
EK13431	Lithic scatter	None	Access rd, fence access	Not eligible	No action
EK13432	Lithic scatter	None	Access rd	Not eligible	No action
EK13433	Lithic scatter	None	Access rd	Unevaluated	No action
EK13434	Lithic scatter	None	Access rd	Unevaluated	The road may be utilized, but all personnel must not stop or leave the current road track when crossing the site area
EK13435	Lithic scatter	None	Access rd	Unevaluated	The road may be utilized, but all personnel must not stop or leave the current road track when crossing the site area
EK13436	Lithic scatter	None	Access rd	Unevaluated	The road may be utilized, but all personnel must not stop or leave the current road track when crossing the site area
EK13437	Lithic scatter	None	Access rd	Not eligible	No action
EK13438	Lithic scatter	None	Source	Not eligible	No action
EK13439	Lithic scatter	None	Access rd	Not eligible	No action
EK13440	Lithic scatter	None	Access rd	Unevaluated	The road may be utilized, but all personnel must not stop or leave the current road track when crossing the site area
EK13441	Lithic scatter	None	Access rd	Not eligible	No action
EK13442	Telegraph line	Communication	Out	Unevaluated	The road may be utilized, but all personnel must not stop or leave the current road track when crossing the site area
EK13443	Fence line	Ranching	Source, receiver, access road	Not eligible	No action
EK13444	Old State Hwy 49	Transportation	Out	Not eligible	No action
EK13445	Lithic scatter	None	Access rd	Unevaluated	The road may be utilized, but all personnel must not stop or leave the current road track when crossing the site area

Site No	Site Type	Theme	Project Element	NRHP Recommendation	Recommended Action
EX13446	Lithic scatter	None	Access rd	Not eligible	No action
EX13447	Lithic scatter	None	Source line	Not eligible	No action
EX13448	Lithic scatter	None	Drive around	Not eligible	No action
EX13449	Lithic scatter	None	Drive around	Not eligible	No action
EX13450	Lithic scatter	None	Drive around	Not eligible	No action
EX13451	Lithic scatter	None	Source line	Unrelated	Avoid site by 30 m (100 ft)
EX13452	Lithic scatter	None	Drive around, source line	Not eligible	No action
EX13453	Lithic scatter	None	Access rd, drive around, source line receiver line	Not eligible	No action
EX13454	Lithic scatter	None	Source line	Eligible	Avoid site by 30 m (100 ft)
EX13455	Lithic scatter	None	Source line	Not eligible	No action
EX13456	Lithic scatter	None	Source line	Not eligible	No action
EX13457	Lithic scatter	None	Source line	Eligible	Avoid site by 30 m (100 ft)
EX13458	Lithic scatter	None	Source line	Not eligible	No action
EX13459	Lithic scatter	None	Source line, receiver line	Not eligible	No action
EX13460	Lithic scatter	None	Drive around	Eligible	No action
EX13461	Lithic scatter	None	Access rd	Not eligible	Avoid site by 30 m (100 ft)
EX13462	Lithic scatter	None	Drive around	Eligible	No action
EX13463	Lithic scatter	None	Source line	Eligible	Avoid site by 30 m (100 ft)
EX13464	Lithic scatter	None	Source line	Not eligible	No action
EX13465	Lithic scatter	None	Access rd	Eligible	Avoid site by 30 m (100 ft)
EX13466	Lithic scatter	None	Source, access rd	Not eligible	No action
EX13467	Lithic scatter	None	Source	Eligible	No action
EX13468	Lithic scatter	None	Source, access rd	Not eligible	Avoid site by 30 m (100 ft)
EX13469	Historic Rock dam	Ranching	Out	Not eligible	No action
EX13470	Historic scatter	Ranching	Source	Not eligible	No action
EX13471	Lithic scatter	None	Access rd	Not eligible	No action
EX13472	Lithic scatter	None	Access, source	Not eligible	No action
EX13473	Lithic scatter	None	Source, access	Not eligible	No action
EX13474	Lithic scatter	None	Source, access	Not eligible	No action
EX13475	Lithic scatter	None	Source	Not eligible	No action
EX13476	Historic scatter	Ranching	Source	Not eligible	No action
EX13477	Historic scatter	Ranching	Source	Not eligible	No action
EX13478	Lithic scatter	None	Source	Unrelated	No action
EX13479	Lithic scatter	None	Source	Not eligible	Avoid site by 30 m (100 ft)
EX13480	Lithic scatter	None	Source, access	Not eligible	No action
EX13481	Lithic scatter	None	Source	Not eligible	No action
EX13482	Lithic scatter	None	Source, receiver	Not eligible	No action
EX13483	Lithic scatter	None	Source	Not eligible	No action
EX13484	Lithic scatter	None	Source	Not eligible	No action
EX13485	Multicomponent	Ranching	Source	Not eligible	No action
EX13486	Multicomponent	Ranching	Access rd	Not eligible	No action
EX13487	Historic Rock dam/bridge	Ranching	Access rd	Not eligible	No action
EX13488	Historic scatter	Ranching	Source	Not eligible	No action
EX13489	Historic scatter	Ranching	Source	Not eligible	No action
EX13490	Lithic scatter	None	Source, access	Not eligible	No action
EX13491	Historic scatter	Ranching	Source, receiver access	Not eligible	No action
			Source	Not eligible	No action

Site No	Site Type	Theme	Project Element	NRJIP Recommendation	Recommended Action
EK13492	Multicomponent	Ranching	Access road	Unevaluated	Avoid site by 30 m (100 ft)
EK13493	Homestead	Ranching	Source, road	Unevaluated	Avoid site by 30 m (100 ft)
EK13494	Multicomponent		Source, road	Not eligible	No action
EK13495	Historic scatter	Ranching	Source, road	Not eligible	No action
EK13496	Lithic scatter	None	Receiver access	Not eligible	No action
EK13497	Lithic scatter	None	Source	Not eligible	No action
EK13498	Lithic scatter	None	Source	Not eligible	No action
EK13499	Lithic scatter	None	Source	Not eligible	No action
EK13500	Historic scatter	Ranching	Source	Not eligible	No action
EK13501	Historic scatter	Ranching	Source, receiver	Not eligible	No action
EK13502	Homestead	Homestead	Access road	Not eligible	No action
EK13503	Lithic scatter	None	Receiver access, access rd	Not eligible	No action
EK13504	Lithic scatter	None	Receiver access	Not eligible	No action
EK13505	Lithic scatter	None	Source	Not eligible	No action
EK13506	Historic scatter	Ranching	Source, access rd	Not eligible	No action
EK13507	Lithic scatter	None	Receiver access	Not eligible	No action
EK13508	Lithic scatter	None	Source	Not eligible	No action
EK13509	Lithic scatter	None	Receiver access	Not eligible	No action
EK13510	Lithic scatter	None	Access road	Eligible	Avoid site by 30 m (100 ft)
EK13511	Lithic scatter	None	Source, access road	Not eligible	No action
EK13512	Historic scatter	Ranching	Source, receiver access	Eligible	The road may be utilized, but all personnel must not stop or leave the current road track when crossing the site area
EK13513	Lithic scatter	None	Source	Not eligible	No action
EK13514	Lithic scatter	None	Receiver access	Not eligible	No action
EK13515	Lithic scatter	None	Receiver access	Not eligible	No action
EK13516	Lithic scatter	None	Receiver access	Not eligible	No action
EK13517	Historic concrete bridge	Transportation	Source, access road	Not eligible	Avoid site by 30 m (100 ft)
EK13518	Historic scatter	Ranching	Source	Unevaluated	No action
EK13519	Lithic scatter	None	Source	Not eligible	No action
EK13520	Homestead	Homestead	Access road	Not eligible	No action
EK13521	Lithic scatter	None	Source	Not eligible	No action
EK13522	Lithic scatter	None	Access road	Not eligible	No action
EK13523	Lithic scatter	None	Source	Unevaluated	Avoid site by 30 m (100 ft)
EK13524	Lithic scatter	None	Fence access	Not eligible	No action
EK13525	Lithic scatter	None	Source, receiver access	Unevaluated	Avoid site by 30 m (100 ft)
EK13526	Ditch	Ranching	Source, Receiver Access, access road	Unevaluated	The road may be utilized, but all personnel must not stop or leave the current road track when crossing the site area
EK13527	Ditch	Ranching	Source, access rd	Not eligible	No action
EK13528	Road	Transportation	Out	Eligible	Avoid site by 30 m (100 ft)

Table 11.1 National Register Eligibility Recommendations and Site Management Recommendations

Site Number	BLM Number	Site Type	Project Element	NRHP Recommendation	Recommended Action
26EK14534	CrNV-12-17710	Lithic scatter	Well pad	Not eligible	No action
26EK14535	CrNV-12-17711	Lithic scatter	Access Road	Not eligible	No action
26EK14536	CrNV-12-17712	Lithic scatter	Access Road	Not eligible	No action
26EK14537	CrNV-12-17713	Lithic scatter	Well pad	Eligible	Site will be avoided by 30 m (100 ft). Alternative pad location
26EK14538	CrNV-12-17714	Lithic scatter	Well pad	Not eligible	No action
26EK14539	CrNV-12-17715	Historic trash scatter	Access Road	Not eligible	No action
26EK13518	CrNV-12-17588	Historic farmstead	Access Road	Eligible	Access road no longer being considered.
26EK13524	CrNV-12-17594	Lithic Scatter	Access Road	Unevaluated	Avoid, Fence, Monitor

Table 11.1 National Register Eligibility Recommendations and Site Management Recommendations

Site Number	BLM Number	Site Type	Project Element	NRHP Recommendation	Recommended Action
26EK14554		Lithic Scatter	road	Not Eligible	No action
26EK14555		Lithic Scatter	road	Eligible	restriction of road upgrades
26EK14634		Multicomponent	gravel pit	Not Eligible	No action

Attachment E:
Direct Mitigative Measures
and Minimization Techniques

To address indirect visual adverse effects to the CNHT from the construction of well pads and the associated access roads slated for improvement or construction, Noble will implement the design-related mitigative measures and minimization techniques recommended below.

1. Abandon the location.
2. Move the well pads to specified locations within the 20-acre block (Williamson et al., 2013).
3. Utilize low-profile 10 ft. tall tanks and well pad equipment instead of the standard 20 ft. tall tanks.
4. Paint tanks and well pad equipment with BLM-approved colors to blend in with the surrounding landscape.
5. During construction of well pads, round the edges of the well pad to create a more organic feel.
6. Minimize vegetation disturbances, by leaving areas of vegetation in place if possible, and implementing interim reclamation measures with native vegetation and fencing well pads with a buck and pole fence or barbed-wire fence that utilizes sage grouse deterrents in order to protect the reclaimed vegetation from grazing.

Attachment F:
Inadvertent Discovery Plan

Unanticipated discoveries located during project activities for the Huntington Valley Oil and Gas Exploration Project area will be reported by Noble Energy to BLM within 24 hours of the discovery. Ground disturbing activities will immediately stop within a 50 m buffer surrounding the area of the new discovery. A follow-up letter from Noble to BLM shall follow within three (3) working days of the discovery.

The BLM will make a determination of eligibility and forward the documentation and determination to Nevada SHPO for concurrence within two (2) working days of receipt. Nevada SHPO shall provide concurrence and/or comments to the BLM within two (2) working days of receipt. After receipt of SHPO concurrence or comments, the BLM shall provide the CRM firm with further instructions.

Discoveries will be documented using IMACS forms, consistent with Nevada BLM policy. All discoveries will be evaluated based on the Historic Context that has been accepted by Nevada BLM and Nevada SHPO.

Inadvertent Discoveries of Native American Human Remains

As guided by language within the Native American Graves Protection and Repatriation Act (NAGPRA) law, Nevada state law, the Nevada BLM State Office cultural program lead, and BLM District and Field Office cultural staff, the following are the steps in dealing with the discovery of Native American human remains on public lands administered by the Elko BLM District Office when those remains are discovered as a direct result of land management actions or a land-disturbing project in progress.

1. If human remains, grave goods, sacred objects or items of cultural patrimony are discovered during Project implementation all Project-related activities within 50 meters of the discovery shall cease immediately and Noble or its authorized representative shall secure the location to prevent vandalism or other damage in consultation with the BLM. Noble or its authorized representative shall notify the BLM authorized officer of the discovery by telephone within 24 hours, followed by written confirmation. The activity shall remain suspended until after the discovery has been evaluated and any necessary mitigation measures completed and the BLM authorized officer has issued a written Notice to Proceed(NTP).

2. The NTP can be issued only after a recovery plan is agreed upon by the federal agency, Nevada SHPO, and any participating Tribal entities and the recovery plan has been successfully implemented. The recovery plan may include but is not limited to leaving the human remains in place or full excavation of the burial. Federal officials must still comply with section 106 of the National Historic Preservation Act or section 3(a) of the Archaeological and Historic Preservation Act.
3. Local law enforcement must be notified of the discovery concurrent with land manager notification and it must be determined, by a qualified individual, whether or not the site is part of a crime scene or associated with a crime.
4. Upon determination that the remains are Native American and not associated with a crime scene, BLM will determine which culturally affiliated tribes formally request participation in the NAGPRA process. Determination of tribal participants and their contact information (Tribal Contacts) will be documented for the administrative record. Any group or individual can submit a claim of cultural affiliation. Any tribal entity, group, or individual who claims cultural affiliation must provide BLM, in writing, evidence supporting their claim. BLM must determine who is most affiliated with the remains. It is the BLM's responsibility to determine who is most closely related to the discovered remains.
5. All culturally associated tribes will be contacted via personal communication within three (3) days (Appendix B, Consulting Tribes) of discovery. A certified letter will be mailed to all Tribal Contacts detailing the circumstances of the discovery, outlining the determination of affiliation process, official contacts, and the status of any conflicting project activities. Recognized tribal entities will have 30 days to respond to the certified mail request. Responses to BLM must be received within 30 days, stating their claim (supporting data may be sent at a later date) and their intentions.
6. Five (5) days after posting the certified notification letters, public notices will be published in local and regional newspapers for two (2) consecutive seven (7) day runs to notify groups or individuals not contacted via the initial tribal notification. The notice in the newspapers will include only a general description of the site discovery location, circumstances of the discovery, and contact information. BLM must wait 30 days from the expiration of the last publication date to receive all claims of cultural affiliation.
7. Once all claims of cultural affiliation are received in writing, meetings will be scheduled with the claimants. BLM will determine which individual or group has the most legitimate claim. In the event of conflicting claims of affiliation or ownership,

the tribe, family, or community member with the most conclusive evidence supporting their claim of cultural affiliation most likely will receive the remains. Once the new "owner" of the remains is identified, BLM and the owner will decide how to properly transfer physical custody of the remains.

Above procedures and responsibilities are general and shall not conflict with the inadvertent discoveries section of the Native American Graves Protection and Repatriation Act.

Inadvertent Discoveries of Non-Native American Human Remains

1. In the case of discoveries involving non-Native American human remains, all Project-related activities within 50 meters of the discovery shall cease immediately and Noble or its authorized representative shall secure the location to prevent vandalism or other damage in consultation with the BLM. Noble or its authorized representative shall notify the BLM authorized officer of the discovery by telephone within 24 hours, followed by written confirmation.
2. The BLM authorized officer shall notify the BLM District Manager, BLM archaeologist, the County Sheriff, and the Nevada SHPO of the discovery.
3. The activity shall remain suspended until after the discovery has been evaluated with negative results for association with recent criminal activity, all necessary mitigation measures have been completed, and the BLM authorized officer has issued a written Notice to Proceed (NTP).