

CO130(2800)
COC-68207

CERTIFIED MAIL NO. 7004 2510 0003 4262 8529
RETURN RECEIPT REQUESTED

AUG 23 2005

Buzz Cox
Ranch Director
High Lonesome Ranch
P.O. Box 88
Debeque, CO 81630
Attn: Buzz Cox

DECISION

Right-of-Way Grant COC-68207 Issued
Rental Determined

Enclosed is a copy of right-of-way grant serial number COC-68207 which has been approved by the Bureau of Land Management. The rental for linear R/W is determined according to regulations found at 43 CFR 2806.1-.2. All processing and monitoring fees have been received.

The advance rental for the ROW is determined to be \$6,543.38 for the period from August 2005 through December 31, 2014. BLM has received your advance rental for this period. All subsequent rental billings will be due at the beginning of the calendar year starting (month, year). Future billings will be based on the rent schedule in effect at that time. The issuance of this right-of-way grant constitutes a final decision by the Bureau of Land Management in this matter.

This decision may be appealed to the Interior Board of Land Appeals in accordance with the regulations in Title 43 of the Code of Federal Regulations, Part 4.400 and the enclosed form CSO 1840-3. The form also includes instructions for requesting a stay of the decision appealed. If an appeal is taken, the notice of appeal must be filed in this office at the above address within 30 days from receipt of this decision. The appellant has the burden of showing that the decision is in error.

Sincerely,

Janet H. Ross (ACTING AFM)

for Catherine Robertson
Field Office Manager

Enclosures (2)
1 - R/W Grant
2 - Form CSO 1840-3

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT
SERIAL NUMBER COC-68207

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:

#10 Enterprises LLC
5701 Woodway Dr., No. 300
Houston, TX 77057

receives a right to use and maintain approximately 36.8 miles of existing roads on public lands described as follows:

T. 7 S., R. 99 W.:

Section 16: S~~1~~/~~2~~SE~~1~~/~~2~~; N~~1~~/~~2~~SW~~1~~/~~2~~
19: S~~1~~/~~2~~NW~~1~~/~~2~~; N~~1~~/~~2~~SE~~1~~/~~2~~; SE~~1~~/~~2~~NE~~1~~/~~2~~
20: S~~1~~/~~2~~NW~~1~~/~~2~~; SW~~1~~/~~2~~NE~~1~~/~~2~~
21: N~~1~~/~~2~~NW~~1~~/~~2~~; NE~~1~~/~~2~~NE~~1~~/~~2~~
26: SE~~1~~/~~2~~NW~~1~~/~~2~~
27: NE~~1~~/~~2~~NE~~1~~/~~2~~

T. 7 S., R. 100 W.:

Section 13: S~~1~~/~~2~~SW~~1~~/~~2~~
14: S~~1~~/~~2~~S~~1~~/~~2~~
15: SW~~1~~/~~2~~SE~~1~~/~~2~~
19: SE~~1~~/~~2~~SE~~1~~/~~2~~
20: N~~1~~/~~2~~SW~~1~~/~~2~~; NW~~1~~/~~2~~SE~~1~~/~~2~~; S~~1~~/~~2~~NE~~1~~/~~2~~; SE~~1~~/~~2~~SE~~1~~/~~2~~
21: NW~~1~~/~~2~~; SW~~1~~/~~2~~SW~~1~~/~~2~~; SE~~1~~/~~2~~SE~~1~~/~~2~~
22: SW~~1~~/~~2~~
24: NE~~1~~/~~2~~NW~~1~~/~~2~~; NE~~1~~/~~2~~
26: NW~~1~~/~~2~~SE~~1~~/~~2~~
29: SW~~1~~/~~2~~NW~~1~~/~~2~~; NE~~1~~/~~2~~NW~~1~~/~~2~~; NW~~1~~/~~2~~NE~~1~~/~~2~~
30: W~~1~~/~~2~~; N~~1~~/~~2~~NE~~1~~/~~2~~; SE~~1~~/~~2~~SE~~1~~/~~2~~
31: SW~~1~~/~~2~~; SE~~1~~/~~2~~NW~~1~~/~~2~~; NW~~1~~/~~2~~NE~~1~~/~~2~~

T. 7 S., R. 101 W.:

Section 25: SE~~1~~/~~2~~SE~~1~~/~~2~~
36: E~~1~~/~~2~~

T. 8 S., R. 98 W.:

Section 7: W~~1~~/~~2~~SE~~1~~/~~2~~; SW~~1~~/~~2~~NE~~1~~/~~2~~
17: SW~~1~~/~~2~~SW~~1~~/~~2~~
18: NE~~1~~/~~2~~; E~~1~~/~~2~~SE~~1~~/~~2~~
19: E~~1~~/~~2~~NE~~1~~/~~2~~; SW~~1~~/~~2~~NE~~1~~/~~2~~; NW~~1~~/~~2~~SE~~1~~/~~2~~; NE~~1~~/~~2~~SW~~1~~/~~2~~
20: NW~~1~~/~~2~~NW~~1~~/~~2~~

T. 8 S., R. 99 W.:

Section 4: NW~~1~~/~~2~~SW~~1~~/~~2~~
5: N~~1~~/~~2~~SW~~1~~/~~2~~; NW~~1~~/~~2~~SE~~1~~/~~2~~
6: N~~1~~/~~2~~SW~~1~~/~~2~~; SE~~1~~/~~2~~
24: S~~1~~/~~2~~NE~~1~~/~~2~~; NW~~1~~/~~2~~SE~~1~~/~~2~~; S~~1~~/~~2~~SW~~1~~/~~2~~
25: W~~1~~/~~2~~NW~~1~~/~~2~~
26: SW~~1~~/~~2~~SE~~1~~/~~2~~; NE~~1~~/~~2~~NE~~1~~/~~2~~; N~~1~~/~~2~~SE~~1~~/~~2~~; SW~~1~~/~~2~~

T. 8 S., R. 100 W.:

Section 1: SW~~1~~/~~2~~NW~~1~~/~~2~~; NE~~1~~/~~2~~SW~~1~~/~~2~~; N~~1~~/~~2~~SE~~1~~/~~2~~
2: N~~1~~/~~2~~
3: N~~1~~/~~2~~
4: NE~~1~~/~~2~~SW~~1~~/~~2~~; NW~~1~~/~~2~~SE~~1~~/~~2~~; S~~1~~/~~2~~NE~~1~~/~~2~~; N~~1~~/~~2~~NW~~1~~/~~2~~
5: S~~1~~/~~2~~SW~~1~~/~~2~~; NW~~1~~/~~2~~SW~~1~~/~~2~~; SW~~1~~/~~2~~NW~~1~~/~~2~~; N~~1~~/~~2~~NE~~1~~/~~2~~

6: W $\frac{1}{2}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$

7: N $\frac{1}{2}$; E $\frac{1}{2}$ SE $\frac{1}{4}$

8: N $\frac{1}{2}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$

T. 8 S., R. 101 W.:

Section 1: N $\frac{1}{2}$

6th Principal Meridian, Garfield and Mesa Counties, Colorado.

b. The right-of-way or permit area granted here is: Approximately 194,277.6 feet in length, 10 feet wide, and containing 44.6 acres, more or less.

c. This instrument shall terminate on December 31, 2034, upon 30 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 map and stipulations set forth in Exhibits A and B 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.

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

#10 Enterprises, L.L.C.

by Paul R. Vahldiel, Jr.
Signature of Holder
Paul R. Vahldiel, Jr.
President

Title

8/11/05
(Date)

Janet H. Ross (ACTING AFM) pt
Signature of Authorized Officer

Field Office Manager

Title

8/23/05
(Effective date of Grant)

Special Stipulations

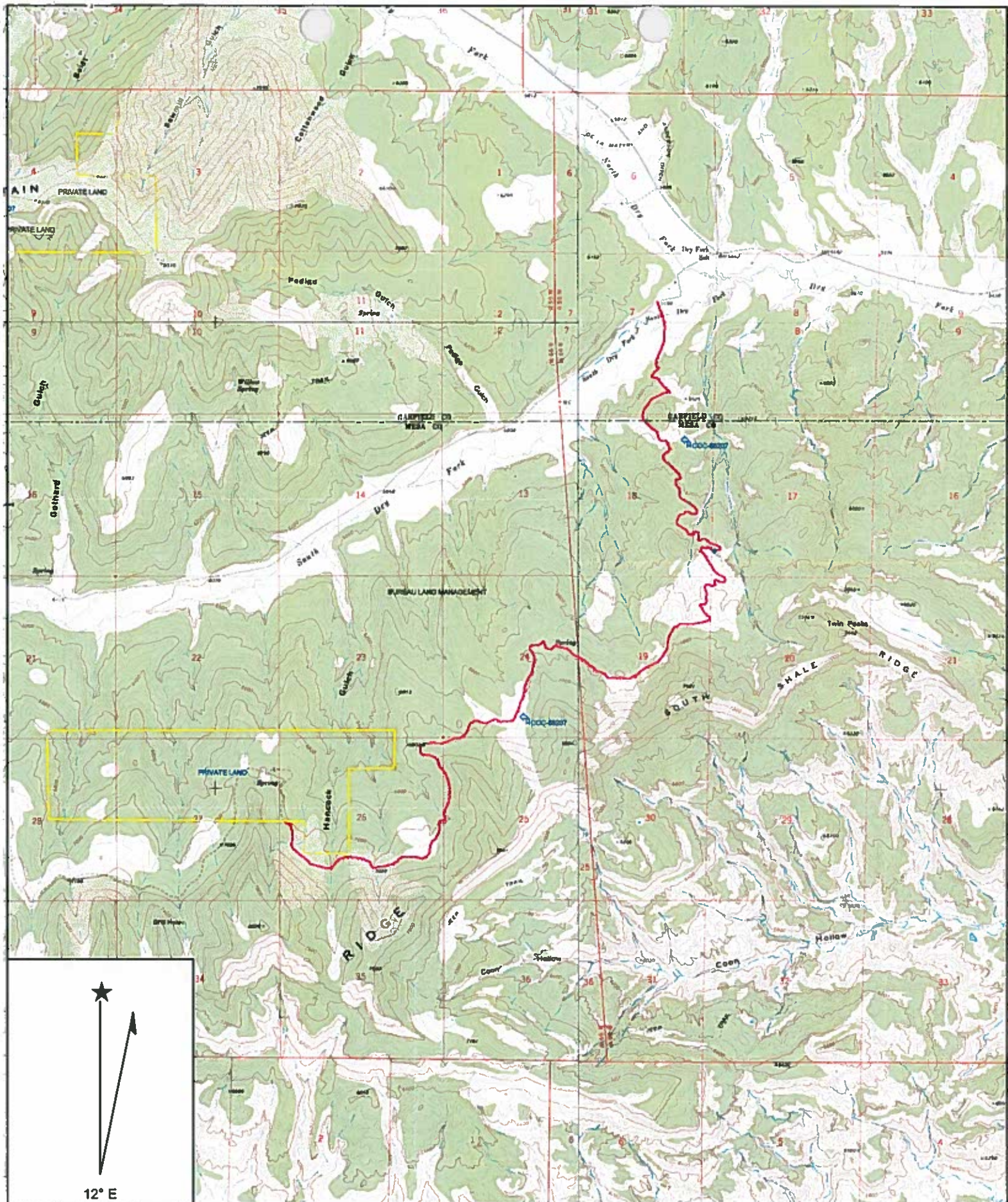
1. The holder shall notify the Grand Junction Resource Area Manager at least three days prior to the commencement of any surface disturbing activities under this grant. The contact person is Tom Bargsten at the Grand Junction Field Office, phone (970) 244-3030.
2. All maintenance activities shall be confined to the right-of-way; in no case will such activities take place outside the grant area. Waterbars and turnouts may be constructed at appropriate intervals as directed by the authorized officer.
3. Drainages shall not be blocked or filled with loose dirt or debris.
4. The holder shall maintain the right-of-way in a safe, usable condition, as directed by the authorized officer.
5. All trash resulting from use of this Right-of-Way shall be confined in a covered container, and shall be removed and hauled to an authorized disposal site. No burning of trash, trees, brush or any other material shall be allowed.
6. Thirty 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 to formulate an acceptable termination and reclamation plan. This plan shall include, but is not limited to, recontouring, stabilizing, or seeding. The authorized officer must approve the plan in writing prior to the holder's commencement of any abandonment activities.
7. Applicant/Lessee shall comply with all County resolutions and regulations and permit requirements.

STANDARD STIPULATIONS

1. 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.
2. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.
3. The Grant holder shall monitor the right-of-way for the presence of weeds which are included on the County noxious weed list. After consulting with the authorized officer, the holder shall control weed infestations which have resulted from the holder's construction, operation, maintenance, or use of the right-of-way. If chemical control

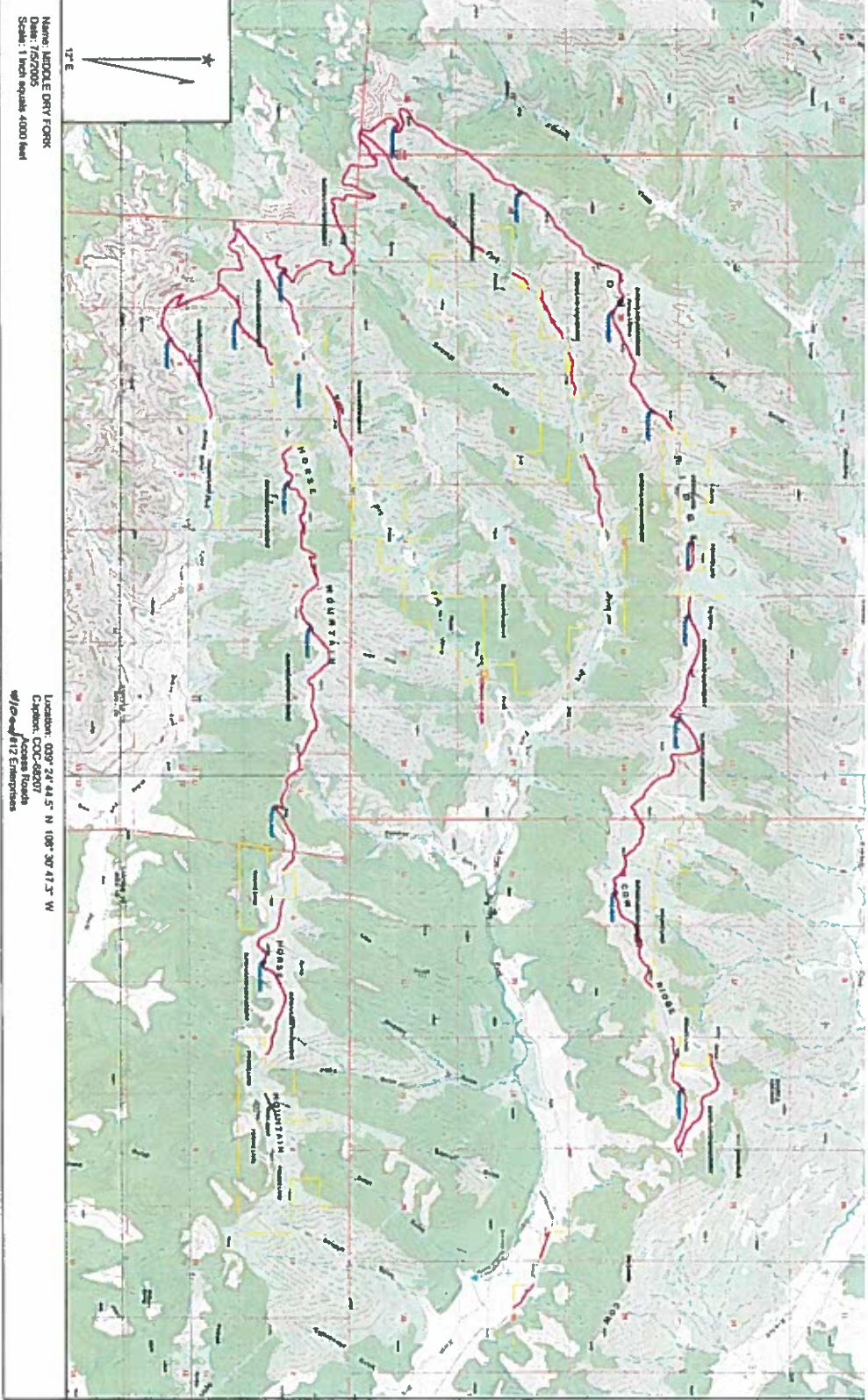
is necessary, use of pesticides shall comply with the applicable Federal and State laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the holder shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, the 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.

4. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601 et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant (see 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193). Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
5. The holder shall comply with applicable State standards for public health and safety, environmental protection and siting, construction, operation and maintenance, if these State standards are more stringent than Federal standards for similar projects.



Name: WINTER FLATS
 Date: 10/15/2004
 Scale: 1 inch equals 4000 feet

Location: 039° 20' 58.8" N 108° 22' 59.0" W
 Caption: COC-68207
 Access Roads
 #10Enterprises



Name: JUNCOS E DRY FORK
Date: 1/2/2004
Scale: 1 inch equals 4000 feet

Location: 009° 24' 44.5" N 108° 30' 47.5" W
Caption: COC-48207
Access Roads
w/10-0-112 Enterprises
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