

Form 4-216
(August 1952)

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management

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STIPULATION FOR LANDS UNDER JURISDICTION OF DEPARTMENT OF AGRICULTURE

The lands embraced in this lease (permit) issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437, 30 U.S.C., 1946 ed., sec. 181 et seq.), as amended, the Mineral Leasing Act for Acquired Lands of August 7, 1947 (61 Stat. 913, 30 U.S.C., 1946 ed., Supp. III, sec. 351 et seq.) the act of September 1, 1949 (63 Stat. 683, 30 U.S.C., 1946 ed., Supp. III, sec. 192c) the act of June 30, 1950 (64 Stat. 311, 16 U.S.C., 1946 ed., Supp. IV, sec. 508(b)) or under the authority of any of the acts cited in section 402 of the President's Reorganization Plan No. 3 of 1946 (60 Stat. 1097, 5 U.S.C. 1946 ed., sec. 133 y-16, note) being under the jurisdiction of the Secretary of Agriculture, the lessee (permittee) hereby agrees:

(1) To conduct all operations authorized by this lease (permit) with due regard for good land management, not to cut or destroy timber without first obtaining permission from the authorized representative of the Secretary of Agriculture, and to pay for all such timber cut or destroyed at the rates prescribed by such representative; to avoid unnecessary damage to improvements, timber, crops, or other cover; unless otherwise authorized by the Secretary of Agriculture, not to drill any well, carry on operations, make excavations, construct tunnels, drill, or otherwise disturb the surface of the leased (permitted) lands within 200 feet of any building standing on the leased (permitted) lands and whenever required in writing by the authorized representative of the Secretary of Agriculture to fence or fill all sump holes, ditches and other excavations, remove or cover all debris, and so far as reasonably possible, restore the surface of the leased (permitted) lands to their former condition, including the removal of structures as and if required, and when required by such representative to bury all pipelines below plow depth.

(2) To do all in his power to prevent and suppress forest, brush or grass fires on the leased (permitted) land and in its vicinity, and to require his employees, contractors, subcontractors, and employees of contractors or subcontractors to do likewise. Unless prevented by circumstances over which he has no control, the lessee (permittee) shall place his employees, contractors, subcontractors, and employees of contractors and subcontractors employed on the leased (permitted) land at the disposal of any authorized officer of the Department of Agriculture for the purpose of fighting forest, brush, or grass fires on or originating on the leased (permitted) lands or on adjacent areas or caused by the negligence of the lessee (permittee) or his employees, contractors, subcontractors and employees of contractors and subcontractors, with the understanding that payment for such services shall be made at rates to be determined by the authorized representative of the Secretary of Agriculture, which rates shall not be less than the current rates of pay prevailing in the vicinity for services of a similar character: Provided, that if the lessee (permittee), his employees, contractors, subcontractors, or employees of contractors or subcontractors, caused or could have prevented the origin or spread of said fire or fires, no payment shall be made for services so rendered.

During periods of serious fire danger to forest, brush, or grass, as may be specified by the authorized representative of the Secretary of Agriculture, the lessee (permittee) shall prohibit smoking and the building of camp and lunch fires by his employees, contractors, subcontractors, and employees of contractors or subcontractors within the leased (permitted) area except at established camps, and shall enforce this prohibition by all means within his power: Provided, that the authorized representative of the Secretary of Agriculture may designate safe places where, after all inflammable material has been cleared away, campfires may be built for the purpose of heating lunches and where, at the option of the lessee (permittee), smoking may be permitted.

The lessee (permittee) shall not burn rubbish, trash or other inflammable materials except with the consent of the authorized representative of the Secretary of Agriculture and shall not use explosives in such a manner as to scatter inflammable materials on the surface of the land during the forest, brush, or grass fire season, except as authorized to do so or on areas approved by such representative.

The lessee (permittee) shall build or construct such fire lines or do such clearing on the leased land as the authorized representative of the Secretary of Agriculture decides is essential for forest, brush, and grass fire prevention which is or may be necessitated by the exercise of the privileges authorized by this lease (permit), and shall maintain such fire tools at his headquarters or at the appropriate location on the leased (permitted) land as are deemed necessary by such representative.