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Resource Evaluation
Alaska OCS Region
JUL 25 2012

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UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF OCEAN ENERGY MANAGEMENT

ALASKA OCS REGION

(Insert Appropriate Regional Office)

**Requirements for Geological and Geophysical Prospecting
or Scientific Research on the Outer Continental Shelf
Related to Minerals Other than Oil, Gas, and Sulphur**

**Application for Permit to Conduct Geological or Geophysical
Prospecting for Mineral Resources or Scientific Research
on the Outer Continental Shelf Related to
Minerals Other than Oil, Gas, and Sulphur**

(Attachment 1)

Nonexclusive Use Agreement for Scientific Research

(Attachment 2)

SUBMIT Original plus three copies, totaling four copies, which include one digital copy and one public information copy (all with original signatures).

Paperwork Reduction Act of 1995 (PRA) Statement: The PRA (44 U.S.C. Chapter 35) requires us to inform you that the Bureau of Ocean Energy Management (BOEM) collects this information to evaluate applications for permits to conduct pre-lease prospecting offshore and to monitor activities of scientific research conducted under notices. BOEM uses the information to ensure there is no environmental degradation, personnel harm, damage to historical or cultural sites, or interference with other uses. Responses are required to obtain or retain a benefit. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget Control Number.

The reporting burden for this form is estimated to average 10 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct your comments regarding the burden estimate or any other aspect of this form to the Information Collection Clearance Officer, Bureau of Ocean Energy Management, MS HM-3127, 381 Elden Street, Herndon, Virginia 20170.

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF OCEAN ENERGY MANAGEMENT**

**REQUIREMENTS FOR GEOLOGICAL AND GEOPHYSICAL PROSPECTING
OR SCIENTIFIC RESEARCH ON THE OUTER CONTINENTAL SHELF
RELATED TO MINERALS OTHER THAN OIL, GAS, AND SULPHUR**

Authority

You must perform all geological and geophysical prospecting or scientific research activities authorized and conducted on the Outer Continental Shelf (OCS) according to the OCS Lands Act, 30 CFR Part 580, and other applicable Federal statutes and regulations, as amended.

General Requirements of Permits and Notices

You must conduct geological and geophysical activities for mineral prospecting or scientific research activities authorized under 30 CFR Part 580 so that those activities do not:

- A. Interfere with or endanger operations under any lease or right-of-way or permit issued or maintained under the OCS Lands Act;
- B. Cause harm or damage to aquatic life or to the marine, coastal, or human environment;
- C. Cause pollution;
- D. Create hazardous or unsafe conditions;
- E. Unreasonably interfere with or harm other uses of the area; or
- F. Disturb archaeological resources.

Any person conducting geological or geophysical activities for mineral prospecting or scientific research under 30 CFR Part 580 must immediately report to us if you:

- A. Detect hydrocarbon and/or mineral occurrences;
- B. Encounter environmental hazards which constitute an imminent threat to human activity; or
- C. Are aware of activities which adversely affect the environment, aquatic life, archaeological resources, or other uses of the area in which you are conducting prospecting or scientific research activities.

Any person conducting shallow or deep stratigraphic test drilling activities under a permit for mineral prospecting or scientific research under 30 CFR Part 580 must utilize the best available and safest technologies that BOEM determines to be economically feasible.

The authorization BOEM grants you under 30 CFR Part 580 to conduct geological and geophysical prospecting for minerals other than oil, gas, and sulphur or for scientific research does not confer a right to any discovered oil, gas, or other minerals, or to a lease under the OCS Lands Act.

Time Restriction for Permits and Notices

We limit the term of a permit to a period not to exceed 3 years but we issue it in 1-year increments. We limit extensions to a period of not more than two 1-year extensions from the initial termination date of the permit.

Geological and Geophysical Activities Requiring Permits and Notices Geological and Geophysical Prospecting for Mineral Resources

You may not conduct geological and geophysical prospecting for minerals other than oil, gas, and sulphur in the OCS without an approved permit unless you conduct such activities under a lease issued or maintained according to the OCS Lands Act. You must obtain separate permits for either geological or geophysical prospecting for mineral resources. If BOEM disapproves an application, the statement of rejection will give the reasons for the denial and will advise the applicant of those changes needed for you to obtain approval.

Geological and Geophysical Scientific Research

You may not conduct geological and geophysical scientific research related to minerals other than oil, gas, and sulphur in the OCS without an approved permit or filing of a notice. You must obtain separate permits for geological and geophysical scientific research which involves the use of solid or liquid explosives or the drilling of a deep stratigraphic test. If BOEM disapproves your application, the statement of rejection will give the reasons for the denial and will advise the applicant of the changes needed for you to obtain approval.

You must file a notice with BOEM at least 60 days before you begin scientific research not requiring a permit. We may inform you of all environmental laws and regulations pertaining to the OCS.

Information Required for Permits

Each applicant for a permit must complete the applicable sections of the Application for Permit (Attachment 1) and must include a public-information, page-size plat(s) showing the location of the proposed area of activity (Section B.2 or C.1). In addition, each applicant for a geological or geophysical permit must submit the appropriate attachment to section D of the application. This includes a detailed map of the proposed activity for Section D.8 (Geological Application) or Section D.12 (Geophysical Application). Only applicants for a *Notice of scientific research* must complete a Nonexclusive Use Agreement (Attachment 2).

The information you provide on the Application for Permit (excluding section D) and on the Nonexclusive Use Agreement, including continuation sheets and the page-size plat(s), is NON-PROPRIETARY INFORMATION. These non-proprietary portions of the application constitute the "public information" copy of Form BOEM-0134 and with the executed permit we will make them available to the public

The information listed in section D is PROPRIETARY INFORMATION. We will not make this information available to the public without the consent of the applicant/permittee for a period mandated by law or regulation. However, we may determine that earlier release is necessary to properly develop the area permitted.

Modifications to Approved Permits

The BOEM Regional Supervisor must approve any modification to the permitted operations.

Filing Locations for Permits to Conduct Prospecting for Mineral Resources and for Permits or Notices to Conduct Scientific Research

File each notice or application for a permit with an original plus three copies, totaling four copies, which include one digital copy and one public information copy (all with original signatures) at the following locations at least 60 days before you begin operations:

A. For the OCS off the State of Alaska:

Regional Supervisor for Resource Evaluation
Bureau of Ocean Energy Management
Alaska OCS Region
3801 Centerpoint Dr., Suite #500
Anchorage, Alaska 99503-5820

B For the OCS in the Gulf of Mexico, off the Atlantic Coast, Puerto Rico, and U.S. Territories in the Caribbean Sea:

Regional Supervisor for Resource Evaluation
Bureau of Ocean Energy Management
Gulf of Mexico OCS Region
1201 Elmwood Park Boulevard
New Orleans, Louisiana 70123-2394

C. For the OCS off the States of California, Oregon, Washington, or Hawaii and other Pacific Federal Territories:

Regional Supervisor for Resource Evaluation
Bureau of Ocean Energy Management
Pacific OCS Region
770 Paseo Camarillo
Camarillo, California 93010-6064

Attachment 1

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF OCEAN ENERGY MANAGEMENT**

ALASKA OCS REGION

(Insert Appropriate Regional Office)

**APPLICATION FOR PERMIT TO CONDUCT GEOLOGICAL OR GEOPHYSICAL
PROSPECTING FOR MINERAL RESOURCES OR SCIENTIFIC RESEARCH
ON THE OUTER CONTINENTAL SHELF RELATED TO
MINERALS OTHER THAN OIL, GAS, AND SULPHUR**

(Section 11, Outer Continental Shelf Lands Act of August 7, 1953, as amended on September 18, 1978, by Public Law 95-372, 92 Statute 629, 43 U.S.C. 1340; and 30 CFR Part 251)

AuruMar Alaska, Inc.

Name of Applicant

4710 Business Park Blvd Suite F-40

Number and Street

Anchorage, AK 99503

City, State, and Zip Code

Application is made for the following activity: (check one)

Geological prospecting for mineral resources

Geological scientific research

Geophysical prospecting for mineral resources

Geophysical scientific research

Submit: Original plus three copies, totaling four copies, which include one digital copy, and one public information copy.

=====

To be completed by BOEM

Permit Number: 12-02 **Date:** _____

A. General Information

1. The activity will be conducted by:

C&C Technologies, West Coast
Service Company Name

For AuruMar Alaska, Inc
Purchaser(s) of the Data

17706 Brickyard Road
Number and Street

4710 Business Park Blvd Suite F-40
Number and Street

Bothell, WA 98011
City, State, and Zip Code

Anchorage, AK 99503
City, State, and Zip Code

+1 425.408.9190/+1 425.408.9189
Telephone/FAX Numbers

+27 21 658 3239/ +27 21 658 3354
Telephone/FAX Numbers

Laurie.zaleski@cctechnol.com
E-Mail Address

gary.vaneck@aurumar.co.za
E-Mail Address

2. The purpose of the activity is: Mineral prospecting
 Scientific research

3. Describe your proposed survey activities (i.e., vessel use, benthic impacts, acoustic sources, etc) and describe the environmental effects of the proposed activity, including potential adverse effects on marine life. Describe what steps are planned to minimize these adverse effects (mitigation measures). For example: 1) Potential Effect: Excessive sound level Mitigation: Soft Start, MMOs, mammal exclusion zone or 2) Potential Effect: Bottom disturbance: Mitigation: ROV deployment/retrieval of bottom nodes (use continuation sheets as necessary or provide a separate attachment):
The mv Thunder will be used as the survey platform. The primary geophysical data to be

acquired will be Side Scan Sonar, Swath Bathymetry, Chirp & S-Boom Seismics. Details attache

4. The expected commencement date is: 30 July 2012

The expected completion date is: 31 December 2012

5. The name of the individual(s) in charge of the field operation is: Laurie Zaleski

May be contacted at: C&C Technologies, West Coast

Telephone (Local) +1 425.408.9190 (Marine) _____

Email Address: Laurie.zaleski@cctechnol.co Radio call sign _____

6. The vessel(s) to be used in the operation is (are):

Name (s)	Registry Number(s)	Registered owners)
<u>mv Thunder</u>	_____	_____
_____	_____	_____
_____	_____	_____

- 7. The port from which the vessel(s) will operate is: Nome
- 8. Briefly describe the navigation system (vessel navigation only): C&C C-Nav DGPS
Hypack Navigation

B. Complete for Geological Prospecting for Mineral Resources or Geological Scientific Research

- 1. The type of operation(s) to be used is: (check one)
 - (a) _____ Deep stratigraphic test, or
 - (b) _____ Shallow stratigraphic test with proposed total depth of _____, or
 - (c) _____ Other N/A
- 2. Attach a page-size plat showing: 1) The generalized proposed location for each test. Where appropriate, a polygon enclosing the test sites may be used and 2) BOEM protraction areas; coastline; point of reference
- 3. Distance and direction from a point of reference to area of activity N/A

C. Complete for Geophysical Prospecting for Mineral Resources or Geophysical Scientific Research

- 1. The type(s) of operation(s) to be used is (are):
 - a) Acquisition method (OBN, OBC, Streamer): High resolution shallow seismics, swath bathymetry
 - b) Type of acquisition: (High Resolution Seismic, 2D Seismic, 3D Seismic, gravity, magnetic, CSEM, etc. Side Scan Sonar
- 2. Attach a page-size plat showing:
 - a) The generalized proposed location of the activity with a representative polygon
 - b) BOEM protraction areas; coastline; point of reference
 - c) Distance and direction from a point of reference to area of activity
- 3. List all energy source types to be used in the operation(s): (Air gun, air gun array(s), sub-bottom profiler, sparker, towed dipole, side scan sonar, etc.): See Attached Technical Note
- 4. Explosive charges will _____ will not be used. If applicable, indicate the type of explosive and maximum charge size (in pounds) to be used:
 Type _____ Pounds _____ Equivalent Pounds of TNT _____

D. Proprietary Information Attachments

Use the appropriate form on page 9 for a "geological" permit application or the form on page 10 for a "geophysical" permit application. You must submit a separate form BOEM-0134 to apply for each geological or geophysical prospecting permit.

E. Certification

I hereby certify that foregoing and attached information are true and correct.

Print Name: William R. Jeffress

SIGNED  DATE July 25, 2012

TITLE Designated Agent

COMPANY NAME: AuruMar Alaska, Inc.
=====

TO BE COMPLETED BY BOEM

Permit No. 12-02 Assigned by V. Hoffman Date 7/25/2012
of BOEM

This application is hereby:

- a. Accepted
- b. Returned for reasons in the attached

The approved permit is:

- a. Attached
- b. Will be forwarded at a later date

SIGNED _____ TITLE Regional Supervisor DATE _____

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF OCEAN ENERGY MANAGEMENT**

ALASKA OCS REGION
(Insert Appropriate Regional Office)

**PERMIT FOR GEOPHYSICAL PROSPECTING
FOR MINERAL RESOURCES OR SCIENTIFIC RESEARCH
ON THE OUTER CONTINENTAL SHELF RELATED TO
MINERALS OTHER THAN OIL, GAS, AND SULPHUR**

In consideration of the terms and conditions contained herein and the authorization granted hereby, this permit is entered into by and between the United States of America (the Government), acting through the Bureau of Ocean Energy Management (BOEM) of the Department of the Interior, and

AuruMar Alaska, Inc.

(Name of Permittee)

4710 Business Park Blvd Suite F-40

(Number and Street)

Anchorage, AK 99503

(City, State, and Zip Code)

PERMIT NUMBER: 12-02 **DATE:** _____

This permit is issued pursuant to the authority of the Outer Continental Shelf Lands Act, as amended, (43 U.S.C. 1331 et seq.), hereinafter called the "Act," and Title 30, Code of Federal Regulations, Part 580 (Prospecting for Minerals Other Than Oil, Gas, and Sulphur on the Outer Continental Shelf).

Paperwork Reduction Act of 1995 (PRA) Statement: This permit refers to information collection requirements contained in 30 CFR part 580 regulations. The Office of Management and Budget (OMB) has approved those reporting requirements under OMB Control Number 1010-0072.

Section I. Authorization

The Government authorizes the permittee to conduct:

Geophysical prospecting for mineral resources as defined in 30 CFR 580.1.

Geophysical scientific research as defined in 30 CFR 580.1. A permit is required for any geophysical investigation that involves the use of solid or liquid explosives or developing data and information for proprietary use or sale.

This permit authorizes the permittee to conduct the above geophysical activity during the period from

25 July 2012 to 31 December 2012 in the following area(s):

Off shore Nome as per attached diagram.

Extensions of the time period specified above must be requested in writing. A permit plus extensions for activities will be limited to a period of not more than 3 years from the original issuance date of the permit. Inspection and reporting of geophysical exploration activities, suspension and cancellation of authority to conduct exploration or scientific research activities under permit, and penalties and appeals will be carried out in accordance with 30 CFR 580.23 through 580.28, 580.32, and 580.33.

The authority of the Regional Director may be delegated to the Regional Supervisor for Resource Evaluation for the purposes of this permit.

Section II. Type(s) of Operations and Technique(s)

A. The permittee will employ the following type(s) of operations:

Off shore geophysical data aquisition
_____;

and will utilize the following instruments and/or technique(s) in such operations:

Swath Bathymetry, Side Scan Sonar, Chrip and S-Boom Seismics (shallow penetration)
_____.

B. The permittee will conduct all activities in compliance with the terms and conditions of this permit, including the "Stipulations," "Special Provisions," and the approved "Application for Permit," which are attached to and incorporated into this permit.

C. The permittee will conduct all geophysical exploration or scientific research activities in compliance with the Act, the regulations in 30 CFR Part 580, and other applicable statutes and regulations whether such statutes and regulations are enacted, promulgated, issued, or amended before or after this permit is issued. Some of the provisions of 30 CFR Part 580 are restated in this permit for emphasis. However, all of the provisions of 30 CFR Part 580 apply to this permit.

Section III. Reports on Operations

- A. The permittee must submit status reports on a weekly basis in a manner approved or prescribed by the Regional Supervisor, Resource Evaluation (hereinafter referred to as Supervisor). The report must include a daily log of operations and a map (preferably on a scale of 1:250,000) showing traverse lines according to Bureau of Ocean Energy Management (BOEM) area and block numbers.
- B. The permittee must submit to the Supervisor a final report within 30 days after the completion of operations. The final report must contain the following:
1. A description of the work performed including number of line miles or OCS blocks of geophysical data acquired;
 2. Chart(s), map(s), or plat(s) depicting the areas and blocks in which any prospecting or scientific research activities were conducted. These graphics must clearly indicate the location of the activities so that the data produced from the activities can be accurately located and identified;
 3. The dates on which the actual geophysical prospecting or scientific research activities were performed;
 4. A narrative summary of any: (a) hydrocarbon and/or mineral occurrences or environmental hazards observed and (b) adverse effects of the geophysical prospecting or scientific research activities on the environment, aquatic life, archaeological resources, or other uses of the area in which the activities were conducted;
 5. The estimated date on which the processed or interpreted data or information will be available for inspection by the BOEM;
 6. A final edited navigation file on suitable storage medium of all data or sample locations in latitude/longitude degrees including datum used. The navigation for 2D lines should include line name and location for the first, last and every tenth SP. For 3D surveys, please supply a navigation file for the acquired track lines that includes the location of the first and last SP and/or the corner locations for the area acquired. Contact the G&G permitting office for the specific navigation required for this permitted activity. The digital file is to be formatted in standard SEG-P1, UKOOA P1-90 or other current, standard industry format, coded in ASCII. A printed listing and a format statement are to be included;
 7. Identification of geocentric ellipsoid (NAD 27 or NAD 83) used as a reference for the data or sample locations; and
 8. Such other descriptions of the activities conducted as may be specified by the Supervisor.
- C. The last status report and the final report can be combined into one report.

Section IV. Submission, Inspection, and Selection of Geophysical Data and Information

- A. The permittee must notify the Supervisor, in writing, when the permittee has completed the initial processing and interpretation of any geophysical data and information collected under a prospecting permit or a scientific research permit that involves developing data and information for proprietary use or sale. If the Supervisor asks if the permittee has further processed or interpreted any geophysical data and information collected under a permit, the permittee must respond within 30 days. If further processing of the data and information is conducted, it is the responsibility of the permittee to keep the most current resulting products available in the event the Supervisor requests the current status of data processing. At any time within 10 years after receiving notification of the completion of the acquisition activities conducted under the permit, the Supervisor may request that the permittee submit for inspection and possible retention all or part of the geophysical data, processed geophysical information, and interpreted geophysical information.
- B. The Supervisor will have the right to inspect and select the geophysical data, processed geophysical information, or interpreted geophysical information. This inspection will be performed on the permittee's premises unless the Supervisor requests that the permittee submit the data or information to the Supervisor for inspection. Such submission must be within 30 days following the receipt of the Supervisor's request unless the Supervisor authorizes a later delivery date. If the inspection is done on the permittee's premises, the permittee must submit the geophysical data or information selected within 30 days following receipt of the Supervisor's request, unless the Supervisor authorizes a longer period of time for delivery. The data or information requested for inspection or selected by the Supervisor must be submitted regardless of whether the permittee and the Government have or have not concluded an agreement for reimbursement. If the Supervisor decides to retain all or a portion of the geophysical data or information, the Supervisor will notify the permittee, in writing, of this decision.
- C. In the event that a third party obtains geophysical data, processed geophysical information, or interpreted geophysical information from a permittee, or from another third party, by sale, trade, license agreement, or other means:
1. The third party recipient of the data and information assumes the obligations under this section except for notification of initial processing and interpretation of the data and information and is subject to the penalty provisions of 30 CFR Part 550, Subpart N as administered by the Bureau of Safety and Environmental Enforcement (BSEE); and
 2. A permittee or third party that sells, trades, licenses, or otherwise provides the data and information to a third party must advise the recipient, in writing, that accepting these obligations is a condition precedent of the sale, trade, license, or other agreement; and
 3. Except for license agreements, a permittee or third party that sells, trades, or otherwise provides data and information to a third party must advise the Supervisor in writing within 30 days of the sale, trade, or other agreement, including the identity of the recipient of the data and information; or
 4. With regard to license agreements, a permittee or third party that licenses data and information to a third party, within 30 days of a request by the Supervisor, must advise the Supervisor, in writing, of the license agreement, including the identity of the recipient of the data and information.
- D. Each submission of geophysical data, processed geophysical information, and interpreted geophysical information must contain, unless otherwise specified by the Supervisor, the following:
1. An accurate and complete record of each geophysical survey conducted under the permit, including digital navigational data and final location maps of all surveys;

2. All seismic data developed under a permit presented in a format and of a quality suitable for processing;
3. Processed geophysical information derived from seismic data with extraneous signals and interference removed, presented in a format and of a quality suitable for interpretive evaluation, reflecting state-of-the-art processing techniques; and
4. Other geophysical data, processed geophysical information, and interpreted geophysical information obtained from, but not limited to, shallow and deep subbottom profiles, bathymetry, side-scan sonar, gravity, magnetic, and electrical surveys, and special studies such as refraction, shear wave, and velocity surveys.

Section V. Reimbursement to Permittees

- A. After the delivery of geophysical data, processed geophysical information, and interpreted geophysical information requested by the Supervisor in accordance with subsection IV of this permit, and upon receipt of a request for reimbursement and a determination by BOEM that the requested reimbursement is proper, BOEM will reimburse the permittee or third party for the reasonable costs of reproducing the submitted data and information at the permittee's or third party's lowest rate or at the lowest commercial rate established in the area, whichever is less.
- B. If the processing was in a form and manner other than that used in the normal conduct of the permittee's business at BOEM's request, BOEM will reimburse the permittee or third party for the reasonable costs of processing or reprocessing such data. Requests for reimbursement must identify processing costs separate from acquisition costs.
- C. The permittee or third party will not be reimbursed for the costs of acquiring or interpreting geophysical information.
- D. Data and information required under section IV.D.1. of this permit are not considered to be geophysical data or processed geophysical information and must be provided by the permittee at no cost to the Government.

Section VI. Disclosure of Data and Information to the Public

- A. The BOEM will make data and information submitted by a permittee available in accordance with the requirements and subject to the limitations of the Freedom of Information Act (5 U.S.C. 552) and the implementing regulations (43 CFR Part 2), the requirements of the Act, and the regulations contained in 30 CFR Parts 250 and 550 (Oil and Gas and Sulphur Operations in the Outer Continental Shelf), 30 CFR Parts 252 and 552 (Outer Continental Shelf (OCS) Oil and Gas Information Program) and 30 CFR Part 580.
- B. Except as specified in this section, or Section VIII, or in 30 CFR Parts 250, 252, 550, and 552, no data or information determined by BOEM to be exempt from public disclosure under subsection A of this section will be provided to any affected State or be made available to the executive of any affected local government or to the public, unless the permittee or third party and all persons to whom such permittee has sold, traded, or licensed the data or information under promise of confidentiality agree to such an action.
- C. Geophysical data and processed or interpreted geophysical information submitted under a permit, and retained by BOEM, will be disclosed as follows:

1. Except for deep stratigraphic tests, the BOEM will make available to the public geophysical data 50 years after the date on which the data are submitted.
 2. Except for deep stratigraphic tests, the BOEM will make available to the public processed geophysical information and interpreted geophysical information 25 years after the date on which the information is submitted. It is the policy of BOEM that the "date of submission" of geophysical data or information obtained under geophysical permits will be the date that the BOEM contracting officer or his/her representative signs the contract/delivery order or purchase order to reimburse the permittee for reproduction and, if appropriate, processing of the geophysical information. In the absence of a contract, delivery order, or purchase order, the date of receipt by BOEM is the date of submission.
 3. BOEM will make available to the public all geophysical data and information and geophysical interpretations related to a deep stratigraphic test, at the earlier of the following times: (a) 25 years after the completion of the test, or (b) for a lease sale held after the test well is completed, 60 calendar days after the Department of the Interior executes the first lease for a block, any part of which is within 50 geographic miles (92.6 kilometers) of the site of the completed test.
- D. All line-specific preplot or postplot plat(s), and navigation tapes, including but not limited to seismic survey traverses and shotpoint locations, submitted as a requirement of 30 CFR 580.12 or 580.51, will be considered as "PROPRIETARY INFORMATION." Such information will not be made available to the public without the consent of the permittee for a period of 25 years from the date of issuance of the permit, unless the Director, BOEM, determines that earlier release is necessary for the proper development of the area permitted.
- E. All other information submitted as a requirement of 30 CFR 580.24 and determined by BOEM to be exempt from public disclosure will be considered as "PROPRIETARY." Such data and information will not be made available to the public without the consent of the permittee for a period of up to 25 years from the date of issuance of the permit as addressed in 30 CFR 580.71, unless the Director, BOEM, determines that earlier release is necessary for the proper development of the area permitted. The executed permit will be considered as "PROPRIETARY" except the public information copy which will be available to the public upon request.
- F. The identities of third party recipients of data and information collected under a permit will be kept confidential. The identities will not be released unless the permittee and the third parties agree to the disclosure.

Section VII. Disclosure to Independent Contractors

BOEM reserves the right to disclose any data or information acquired from a permittee to an independent contractor or agent for the purpose of reproducing, processing, reprocessing, or interpreting such data or information. When practicable, BOEM will advise the permittee who provided the data or information of intent to disclose the data or information to an independent contractor or agent. BOEM's notice of intent will afford the permittee a period of not less than 5 working days within which to comment on the intended action. When BOEM so advises a permittee of the intent to disclose data or information to an independent contractor or agent, all other owners of such data or information will be deemed to have been notified of BOEM's intent. Prior to any such disclosure, the contractor or agent will be required to execute a written commitment not to sell, trade, license, or disclose any data or information to anyone without the express consent of BOEM.

Section VIII. Sharing of Information with Affected States

- A. BOEM will make proprietary data, information, and samples submitted to BOEM by permittees to adjacent State(s) upon request by the Governor(s) in accordance with the following:
1. The person who submitted the data and information will be notified and will have at least 5 working days to comment on the action;
 2. When the Regional Director advises the person who submitted the data and information, all other owners of the data or information will be considered to have been so notified; and
 3. Before disclosure, the Governor must sign a written commitment not to sell, trade, license, or disclose data or information to anyone without the Regional Director's consent.
- B. Disclosure will occur only after the Governor and the Secretary have entered into an agreement providing that:
1. The confidentiality of the information shall be maintained;
 2. In any action commenced against the Federal Government or the State for the failure to protect the confidentiality of proprietary information, the Federal Government or the States, as the case may be, may not raise as a defense any claim of sovereign immunity or any claim that the employee who revealed the proprietary information, which is the basis of the suit, was acting outside the scope of the person's employment in revealing the information;
 3. The State agrees to hold the United States harmless for any violation by the State or its employees or contractors of the agreement to protect the confidentiality of proprietary data and information and samples; and
 4. The materials containing the proprietary data, information, and samples will remain the property of the United States.
- C. The data, information, and samples available to the State(s) pursuant to an agreement will be related to leased lands.
- D. The materials containing the proprietary data, information, and samples must be returned to BOEM when they are no longer needed by the State or when requested by the Director.
- E. Information received and knowledge gained by a State official under paragraph (d) of this section is subject to applicable confidentiality requirements of:
1. The Act; and
 2. The regulations at 30 CFR Parts 580, 581, 582.

Section IX. Permit Modifications

The Department will have the right at any time to modify or amend any provisions of this permit, except that the Department will not have such right with respect to the provisions of Sections VI, VII, and VIII hereof, unless required by an Act of Congress.

IN WITNESS WHEREOF the parties have executed this permit and it will be effective as of the date of signature by the Regional Supervisor.

PERMITTEE:

THE UNITED STATES OF AMERICA:

William R. Jeffress
(Signature of Permittee)

(Signature of Regional Supervisor)

William R. Jeffress
(Type or Print Name of Permittee)

Rance R. Wall
(Type or Print Name of Regional Supervisor)

Designated Agent
(Title)

(Date)

July 25, 2012
(Date)