



6000 WESTERN PLACE, SUITE 200
I-30 AT BRYANT IRVIN ROAD
FORT WORTH, TEXAS 76107
EMAIL: TOASE@TOASE.COM

TAYLOR · OLSON · ADKINS · SRALLA · ELAM
LLP
ATTORNEYS & COUNSELORS

TELEPHONE: (817) 332-2580
TOLL FREE: (800) 318-3400
FACSIMILE: (817) 332-4740
WEBSITE: WWW.TOASE.COM

Bryn D. Meredith
bmeredith@toase.com

February 17, 2016

Amy Leuders, Director
Bureau of Land Management
New Mexico State Office
P.O. Box 27115
Santa Fe, New Mexico 87502-0115

**Via Fax: (505) 954-2010 and
First Class Mail**

Julie Ann Serrano, Lead Land Law Examiner
Bureau of Land Management
New Mexico State Office
P.O. Box 27115
Santa Fe, New Mexico 87502-0115

**Via Fax: (505) 954-2010 and
First Class Mail**

Re: Town of Flower Mound, Texas, Protest Pursuant to 43 C.F.R. §3120.1-3
of the Proposed Competitive Oil and Gas Lease Sale by the Bureau of
Land Management of Parcel NM-201604-043, being 258.90 Acres
Located in Denton County, Texas (Lewisville Lake Parcel).

Dear Ms. Leuders and Ms. Serrano:

My office serves as Town Attorney for the Town of Flower Mound, located in Denton County, Texas. The Town of Flower Mound is a home rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Texas Local Government Code.

During the February 15, 2016 meeting, the Flower Mound Town Council adopted the enclosed Resolution No. 04-16. This Resolution protests the inclusion of Parcel NM-201604-043, being 258.90 acres located in Denton County, Texas (Lewisville Lake Parcel), in the proposed competitive oil and gas lease sale on April 20, 2016. In addition, Resolution No. 04-16 directs my office to submit the Town's protest to you, in my capacity as Town Attorney. Please note that the Town Council meeting was properly noticed and conducted in accordance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

In accordance with the directive of the Town Council of the Town of Flower Mound, Texas, the Town hereby submits this protest and respectfully requests that Parcel NM-201604-043 be withdrawn from the proposed competitive oil and gas lease sale on April 20, 2016.

February 17, 2016

Page 2

Thank you for your consideration and should you have any questions regarding this matter please do not hesitate to contact me.

Sincerely,



Bryn Meredith

Town Attorney, Town of Flower Mound, Texas

BDM/kh

Enclosure

cc: Mayor and Town Council, Town of Flower Mound
Jimmy Stathatos, Town Manager
COL Calvin C. Hudson II, District Commander, Fort Worth District
Brian S. Kamisato, P.E., Deputy District Engineer
Rob Jordan, Lake Manager, Lewisville/Ray Roberts Lakes
Senator Jane Nelson
Congressman Michael Burgess
State Representative Tan Parker
State Representative Giovanni Capriglione
Thomas E. Taylor, P.E., Executive Director, Upper Trinity Regional Water District

TOWN OF FLOWER MOUND, TEXAS**RESOLUTION NO. 04-16**

RESOLUTION OF THE TOWN OF FLOWER MOUND, TEXAS, PROTESTING THE INCLUSION OF PARCEL NUMBER NM-201604-043, LOCATED IN DENTON COUNTY, TEXAS AS AVAILABLE FOR COMPETITIVE SALE TO BE USED FOR OIL AND GAS LEASING; DIRECTING THE TOWN ATTORNEY TO SUBMIT THIS PROTEST ON BEHALF OF THE TOWN OF FLOWER MOUND TO THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound is a home rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and,

WHEREAS, the US Bureau of Land Management intends to conduct a competitive sale, to be held on April 20, 2016, to auction certain Federal lands located in Denton County, Texas to be used for oil and gas development; and,

WHEREAS, pursuant to Title 43 CFR 3120.1-3, the Town of Flower Mound hereby protests the inclusion of parcel number NM-201604-043, composed of 258.90 acres and known as the Lake Lewisville Project, that is listed in the sale notice published by the United States Department of the Interior, Bureau of Land Management; and,

WHEREAS, the Town Council of the Town of Flower Mound is an elected body that represents the citizens of the Town whose property rights are greatly affected by the sale of parcel number NM-201604-043 to be use for oil and gas development; and,

WHEREAS, Lewisville Lake is located within the 258.90 acres of parcel number NM-201604-043; and,

WHEREAS, Lewisville Lake serves as the primary source of the Town's public water supply; and,

WHEREAS, the Town Council finds that permitting oil and gas operations on parcel number NM-201604-043 may negatively affect Lewisville Lake and as a result threaten the Town's largest source of water; and,

WHEREAS, the Lewisville Dam, which is located within parcel number NM-201604-043, is currently undergoing repairs from devastating May 2015 storms and the Corps of Engineers has identified numerous elements that must be addressed as the repairs are carried out, including certain structural hazards related to the integrity of the Dam; and,

WHEREAS, the Town Council finds that oil and gas development may further harm the Lewisville Dam and exacerbate the structural hazards identified by the Corps of Engineers and threaten the health, safety, and general welfare of Town citizens; and,

RESOLUTION NO. 04-16**PAGE 2**

WHEREAS, for the foregoing reasons, the Town Council of the Town of Flower Mound hereby protests the inclusion of parcel number NM-201604-043 as available for competitive sale to be used for oil and gas development.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS:

SECTION 1.

That the Town of Flower Mound, Texas hereby respectfully requests that the Bureau of Land Management withdraw parcel number NM-201604-043, located in Denton County, Texas from the available parcels for competitive lease sale at the April 20, 2016 Oil & Gas Competitive Lease Sale.

SECTION 2.

That the Town Attorney is hereby directed to file this protest with the Bureau of Land Management on or before February 18, 2016.

SECTION 3.

That this Resolution shall be effective from its date of adoption.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF 5 TO 0, ON THIS 15TH DAY OF FEBRUARY, 2016.

APPROVED:


Thomas E. Hayden, MAYOR

ATTEST:


Theresa Scott, TOWN SECRETARY

APPROVED AS TO FORM:


Bryn Meredith, TOWN ATTORNEY