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2016 FEB 16 PM 6:30

SANTA FE, NM

February 10, 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: City of Highland Village, Texas, Protest Pursuant to 43 C.F.R. §3120.1-3 of the Proposed Auction by the Bureau of Land Management ("BLM") of Parcel NM-201604-043, being 258.90 Acres Located in Denton County, Texas (Lewisville Lake)

Dear Ms. Leuders and Ms. Serrano:

The City Council of the City of Highland Village, Texas met in regular session on February 9, 2016, and took the following affirmative action:

"I move to authorize the Mayor to prepare and execute on behalf of the City a letter in protest to the Bureau of Land Management's announced sale of mineral leases for a 258.90 acre tract of land adjacent to Lewisville Lake in Denton County, Texas with copies to the property owner and other appropriate interested parties".

The preceding motion was approved by a unanimous vote of seven (7) to zero (0).

The Highland Village City Council deliberated and received public comment on the proposed Bureau of Land Management (BLM) Gas Lease NM-201604-043, 258.90 Acres Located in Denton County, TX. (Lewisville Lake). The following items were identified as the City's interest in protesting this proposed lease:

- Lewisville Lake is the City of Highland Village's primary supply of potable water to our residents. The City Council took this affirmative protest action based on the concerns about the risks of fracking beneath Lewisville Lake and the potential contamination of drinking water.
- Lewisville Lake dam is currently undergoing repairs from the May 2015 storms. The Corps of Engineers has identified the following elements that need to be addressed:

reduce underseepage and probability of internal erosion of the earthen dam structure; improve slope stability and reduce probability of sliding of the earthen dam structure; repair infrastructure at the risk of being compromised by uplift and erosion; and portions of the dam may not be stable under higher pool loadings. The USACE is proposing to modify features at the Lewisville Lake Dam in order to reduce risk associated with dam operation and extend longevity of the dam. The City Council took this affirmative protest action based on the concerns of the risks of fracking beneath Lewisville Lake and the potential that seismic activity with associated fracking could exacerbate the identified risk.

The City of Highland Village has been advised that by letter dated February 9, 2016, from Jo. M. "Jody" Puckett, P.E., Director, Dallas Water Utilities, City of Dallas, Texas, addressed to Ms Leuders, the City of Dallas has also submitted as protest of the proposed auction of the above-referenced tract. The City of Highland Village is a raw water supply customer of the City of Dallas, the source of such raw water supply being Lewisville Lake. The City of Highland Village is also a treated water customer of the Upper Trinity Regional Water District, who, in turn, obtains its raw water supply from the water owned by the City of Dallas in Lewisville Lake. In addition to the issues serving as the basis for this protest, the City of Highland Village also joins the City of Dallas and incorporates its reasons for protesting the above-referenced lease of Parcel NM-201604-043.

For the reasons listed above, the City of Highland Village hereby submits this protest and objection to the proposed auction of a mineral lease of Parcel NM-201604-043, and respectfully requests that said parcel be withdrawn from the April 20, 2016 auction. If you have any questions please feel to contact Michael Leavitt, City Manager, City of Highland Village at (972) 899-5131.

Respectfully submitted,



Charlotte J. Wilcox, Mayor
City of Highland Village, Texas

cc: 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 Ron Simmons
Tom Taylor, Upper Trinity Regional Water District