

**U.S. Department of the Interior  
Bureau of Land Management  
Uncompahgre Field Office  
2465 South Townsend Avenue  
Montrose, CO 81401**

**Decision Record**

**DOI-BLM-CO-S050-2014-0009 CX (390)**

**PROJECT NAME:** Five Gunnison Energy Corporation APDs on the DGU 12-89-18H Well Pad

**DECISION:**

It is my decision to approve GEC's APDs for the following wells: DGU 12-89-18-CS1; DGU 12-89-18-CS2; DGU 12-89-18-H3; DGU 12-89-18-H4; and DGU 12-89-18-H5, as described in the CX.

**MITIGATION MEASURES:**

The APDs will be subject to the Conditions of Approval in Appendices A, B and C.

**RATIONALE:**

The Proposed Action is categorically excluded from further documentation in accordance with statutory NEPA categorical exclusion 390, Number 1, as granted in Section 390(b)(1) of the Energy Policy Act of 2005, for oil and gas exploration and development, as described in the CX. Impacts would not exceed those disclosed in the CO150-2008-035 EA.

**COMPLIANCE WITH MAJOR LAWS and CONFORMANCE WITH LAND USE PLAN:**

The decision is in compliance with applicable laws, regulations and policy, including the Endangered Species Act, Migratory Bird Treaty Act and National Historic Preservation Act. It is also in conformance with the Uncompahgre Basin Resource Management Plan (July 1989).

**PUBLIC COMMENT:**

The BLM informed the public about this project by listing it on the online Uncompahgre Field Office NEPA Register and a copy of the completed Statutory 390 CX will be posted on the NEPA website.

**ADMINISTRATIVE REMEDIES:**

**State Director Review**

As provided in 43 CFR 3165.3(b), any adversely affected party that contests a decision of the authorized officer may request an administrative review, before the State Director, either with or without oral presentation. Such request, including all supporting documentation, shall be filed in writing with the BLM Colorado State Director (2850 Youngfield Street, Lakewood, CO 80215) within 20 business days of the date such decision was received or considered to have been received. Upon request and showing of good cause, an extension for submitting

supporting data may be granted by the State Director. Such review shall include all factors or circumstances relevant to the particular case.

Appeal

Any party who is adversely affected by the State Director's decision may appeal that decision to the Interior Board of Land Appeals as provided in Sec. 3165.4 of this part, and pursuant to the regulations set out in 43 CFR Part 4.

Petition for Stay

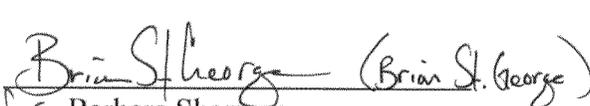
As provided in part 3165.4(c), all decisions and approvals of the BLM State Director or Administrator Law Judge under this part shall remain effective (Full Force and Effect) pending appeal unless the Interior Board of Land Appeals determines otherwise upon consideration of the standards stated in this paragraph. The provisions of 43 CFR 4.21(a) shall not apply to any decision or approval of a State Director or Administrative Law Judge under this part. A petition for a stay of a decision or approval of a State Director or Administrative Law Judge shall be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, Department of the Interior, and shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of irreparable harm to the appellant or resources if the stay is not granted,
- (4) Whether the public interest favors granting the stay.

Nothing in this paragraph shall diminish the discretionary authority of a State Director or Administrative Law Judge to stay the effectiveness of a decision subject to appeal pursuant to paragraph (a) or (b) of this section upon a request by an adversely affected party or on the State Director's or Administrative Law Judge's own initiative. If a State Director or Administrative Law Judge denies such a request, the requester can petition for a stay of the denial decision by filing a petition with the Interior Board of Land Appeals that addresses the standards described above in this paragraph.

NAME OF PREPARER: Thane Stranathan

NAME OF ENVIRONMENTAL COORDINATOR:  Bruce Krickbaum      DATE: 3-20-2014

SIGNATURE OF AUTHORIZED OFFICIAL:  (Brian St. George)  
Acting for Barbara Sharrow  
Field Manager, Uncompahgre Field Office

DATE SIGNED 3/21/14

- Appendices:
- A – CO-150-2008-35 EA Surface Use Conditions of Approval
  - B – CO-150-2008-35 EA Downhole Conditions of Approval
  - C – APD Conditions of Approval