



United States Department of the Interior
Bureau of Land Management

Eastern States
7450 Boston Boulevard
Springfield, Virginia 22153

<http://www.es.blm.gov>



IN REPLY REFER TO:
3100(934) KKAA
LAES 056810
LAES 057046

CERTIFIED-RETURN RECEIPT REQUESTED
7010 1060 0000 5208 4008

July 19, 2011

DECISION

Markham A. Dickson, Jr.
PO Box 51367
Shreveport, LA 71135-1367

Protest Dismissed
June 2011 Oil and Gas Lease Sale of Parcels
ES-014-06/11 LAES 056810 and ES-229-06/11 LAES 057046

We received a total of four protests to the offering of a six parcels in the June 16, 2011, competitive oil and gas lease sale. On May 3, 2011, Bureau of Land Management-Eastern States Office received your protest to lease parcels, ES-014-06/11 and ES-229-06/11. The Deputy State Director of Natural Resources elected to remove four of the six protested parcels in the competitive sale while the merit of the protest was being considered.

Decision:

After careful review, we have dismissed your protest for the response was not received timely. On page six of the June 16, 2011 sale notice, it states the following:

Can I protest BLM's decision to offer the lands in this Notice for lease?

Yes. Under Federal Regulations 43 CFR 3120.1-3, you may protest the inclusion of a parcel listed in this sale notice. All protests must meet the following requirements:

- Protests must be filed within **30 calendar days of the posting date of the sale**. We must receive a protest no later than close of business on **April 18, 2011**. The protest must also include any statement of reasons to support the protest. We will dismiss a late-filed protest or a protest filed without a statement of reasons.
- A protest must state the interest of the protesting party in the matter. If the party signing the protest is doing so on behalf of an association, partnership or corporation, the signing party must reveal the relationship between them. For example, unless an environmental group authorizes an individual member of its group to act for it, the individual cannot make a protest in the group's name.
- You may file a protest either by mail in hardcopy form or by fax. You may not file a protest by electronic mail. A protest filed by fax must be sent to (703) 440-1551. A

protest sent to a fax number other than the fax number identified or a protest filed by electronic mail will be dismissed;

- If the party signing the protest is doing so on behalf of an association, partnership or corporation, the signing party must reveal the relationship between them. For example, unless an environmental group authorizes an individual member of its group to act for it, the individual cannot make a protest in the group's name.

Our Southeastern States Field Office (SSFO) contacted you while they were performing the Environmental Analysis (EA) of these parcels. SSFO mailed a copy of the EA and also explained that these parcels will have a No Surface Occupancy due to the fact the area is in wetland.

This decision will become final 30 days from receipt in absence of an appeal.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the letterhead address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below.

Copies of the notice of appeal and petition for a stay **must** also be submitted to each party named in the decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay: Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal 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 immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granted the stay.

You will find copied to this decision the highest bidder who has purchased the protested parcels at the June 2011 sale and are, therefore, adverse parties who must be served with any pleadings.

We apologize for the inconvenience this may have caused you. If you have any questions regarding this decision, please contact Kemba Anderson-Artis at (703) 440-1659 or via email at kembaand@blm.gov.

/s/ Kemba K. Anderson-Artis

Kemba K. Anderson-Artis
Supervisory Land Law Examiner
Division of Natural Resources

cc: Sebastien Land Company
101 W. Farrel Road, Building 1
Lafayette, LA 70508

bc: ESRF; ES930; LAES 056810; LAES 057046; SSFO