



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Utah State Office
440 West 200 South, Suite 500
Salt Lake City, UT 84101
<http://www.blm.gov/ut/st/en.html>

IN REPLY REFER TO:
3100 (UT922000)

November 17, 2014

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DECISION

Trout Unlimited : Protests of the Inclusion of Certain
111 N. Higgins Ave, Ste. 500 : Lease Parcels on the November 18, 2014
Missoula, MT 59801 : Competitive Oil and Gas Lease Sale

Protest Granted

On August 15, 2014, the Bureau of Land Management Utah posted a Notice of Competitive Oil and Gas Lease Sale (“NCLS”)¹ that identified parcels of land which BLM proposed to offer for oil and gas lease at the at the competitive auction scheduled for November 18, 2014 (“November 2014 Lease Sale”). The NCLS also provided public notice of a 30-day public protest period, which concluded on September 15, 2014, for the parcels proposed for lease in the NCLS.

During the public protest period for the NCLS, on September 15, 2014, BLM Utah received a letter whereby Trout Unlimited protested BLM’s proposal to offer parcel UT1114 – 173 (UTU90776) for lease at the November 2014 Lease Sale.

Following a review of the protest submitted by Trout Unlimited, BLM has decided to defer parcel UT1114 – 173 (UTU90776) from offering for lease at the November 2014 Lease Sale. This action will allow BLM sufficient time to conduct additional review of the potential impacts associated with leasing the parcel. As such, the protest of the NCLS filed by Trout Unlimited has been granted.

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

¹ Hard copies of the NCLS were posted in the BLM Utah State Office. Electronic copies were posted and are available online on the BLM Utah Oil and Gas Lease Sales website located at:
http://www.blm.gov/ut/st/en/prog/energy/oil_and_gas/oil_and_gas_lease.html

If you wish to file a petition for a stay pursuant to 43 C.F.R. Part 4, Subpart B § 4.21, during the time that your appeal is being reviewed by the Board, the petition must show sufficient justification based on the standards listed below. 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 regulations, a petition for a stay of a decision pending appeal shall be evaluated 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 granting the stay.

Copies of the notice of appeal, petition for stay, and statement of reasons also must be submitted to the Office of the Regional Solicitor, Intermountain Region, 125 South State Street, Suite 6201, Salt Lake City, Utah 84138, at the same time the original documents are filed in this office. Please direct any questions regarding this decision to Justin Abernathy, Fluid Minerals Leasing Coordinator, at 801-539-4067.

/s/ Juan Palma

Juan Palma
State Director

Enclosure

1. Form 1842-1

cc: James Karkut, Office of the Solicitor, Intermountain Region,
125 South State Street, Suite 6201, Salt Lake City, UT 84138