



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Wyoming State Office

P.O. Box 1828

Cheyenne, Wyoming 82003-1828

In Reply Refer To:
3100 (921Mistarka)
August 2008 Protests

September 3, 2010

CERTIFIED - RETURN RECEIPT REQUESTED

Biodiversity Conservation Alliance, et al
P O. Box 1512
Laramie, Wyoming 82073

Dwayne M. Meadows
Theodore Roosevelt Conservation Partnership
707 South 15th Street
Laramie, Wyoming 82070

Joy Owen
Wyoming Wildlife Federation
National Wildlife Federation
P O Box 1312
Lander, Wyoming 82520

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2219 Carey Avenue
Cheyenne, Wyoming 82002

Little Snake River Conservation District
P O Box 355
Baggs, Wyoming 82321

Ladder Livestock Company LLC
P O Box 159
Savery, Wyoming 82332

Dan Heilig
Western Resource Advocates
For National Audubon Society
262 Lincoln St.
Lander, Wyoming 82520

Megan Corrigan
Center for Native Ecosystems
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Trout Unlimited
250 North 1st Street
Lander, Wyoming 82520

Jeb Steward
House District 47
P O Box 21
Encampment, Wyoming 82325

Mark Anselmi
1924 Parkview Ave.
Rock Springs, Wyoming 82901

Craig Thompson
809 Rose Crown Circle
Rock Springs, Wyoming 82901

James and Judy Wilcox
440 Jensen Street
Green River, Wyoming 82935

**DECISION REVERSED IN PART
AUGUST 2008 OIL AND GAS SALE PROTEST OF 173 PARCELS
SIX LEASE OFFERS ISSUED**

DECISION:

The following six parcels will be issued instead of deferred as stated in the Decision for the August 2008 Oil and Gas Sale Protest response dated August 16, 2010. This decision is based on the information contained in the text within the Discussion section below as well as the information disclosed in the Environmental Assessments (EAs) prepared by each BLM WY Field Office entitled "Previously Sold Lease Parcels EA" and screens for wilderness characteristics and Greater sage-grouse: WY-0808-157, 158, 159, 161, 162, and 163. The balance of the August 2008 protest response dated August 16, 2010, remains unchanged.

Discussion:

Changes to the August 2008 decision are noted in bold in the BLM Response portion of the Discussion.

The August 2008 protest response reads as follows:

"7. TU protests the offering of the following parcels because they are located within watersheds occupied by CRCT. TU argues the BLM has not taken a hard look at the new information concerning the impacts of oil and gas development on the CRCT in these areas. TU protests the offerings of these parcels because they are located in areas where coldwater recreational fish exist and have the potential to be impacted by coalbed methane development, its discharges and ramifications of those discharges and impacts to groundwater. NWF and WWF protest the sale of the RFO parcels because the CRCT are an imperiled cutthroat trout subspecies. RFO parcels are WY-0808-086, 093, and 094. RSFO parcels are WY-0808-156, 157, 158, 159, 161, 162, 163, 164, and 165. Other parcels protested include WY-0808-002, 003, 004, 007, 101, 102, 105, 129, 144, and 145 in the CFO and WFO.

BLM Response: Both the Greater Red Creek ACEC and the Sugarloaf Basin have lands open to leasing with appropriate mitigation to protect resources. Parcels protested are WY-0808-156, 157, 158, 159, 161, 162, 163, 164, and 165. Parcels 156, 157, 158, 164, and 165 have the following stipulations attached: Controlled surface use (restricts or prohibits) for steep slopes, recreational, watershed, wildlife values and for the CRCT. Parcels 157, 158, 159, and 165 also contain a no surface occupancy for Currant Creek portion of the Greater Red Creek area. One dry hole has been drilled south of Parcel 159 in the SESE of Section 23 by Devon Energy in 1974. Parcels 157, 158 (in part) and 159 are in the Rubicon Unit Agreement. There are no coalbed natural gas wells in T. 12, 13, 14 N., R. 106 W. and T. 12 and 15 N., R. 107 W. Parcel 165 was removed from the August competitive oil and gas sale prior to the sale."

“Parcels 161, 162, and 163 are located in T. 27 N., R. 106 W. in Sections 7, 17, and 18, north of Big Sandy Reservoir. These parcels are near and probably in the Big Sandy River. Northeast of Section 7, in Sections 1-3 and 11-12 is the Elkhorn Unit. Orion Energy drilled and produced gas from 13,400 feet (Lance Formation) in the NENE of Section 6. This well is now shut-in. There are no coalbed natural gas wells in T. 27 N., R. 106 W. There are no CRCT present in the Big Sandy River or the reservoir (personal communication with WGFD on 10-19-09).”

Parcels 157, 158 (in part) and 159 are in the Rubicon Unit Agreement and will be issued based upon the December 1, 2009, letter to Governor Freudenthal concerning the BLM’s oil and gas leasing procedures in the Little Mountain Ecosystem area pending completion of the Green River Resource Management Plan revision. Parcel 158 has been segregated by its commitment to the Rubicon Unit. The portion (7.05 acres) of the parcel 158 outside of the Rubicon Unit will not be issued but deferred pending the RSFO RMP revision.

Parcels 161, 162, and 163 will be issued.

As stated above, the following August 2008 Oil and Gas Competitive Sale parcels, WY-0808-157, 158, 159, 161, 162, and 163, will be issued. The balance of the August 2008 protest response dated August 16, 2010, remains unchanged.

Appeal Information

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 Form 1842-1 (attached).

If an appeal is taken, your notice of appeal must be filed in this office within 30 days from your receipt of this Decision. The protestor has the burden of showing that the Decision appealed from is in error.

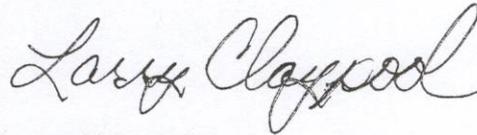
If you wish to file a petition for a stay of the effectiveness of this Decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed on the attached document. Copies of the notice of appeal and petition for a stay must be submitted to the Interior Board of Land Appeals and the appropriate Office of the Solicitor (see 43 CFR §4.413) at the same time the original documents are filed with this office. Copy of the notice of appeal and petition for a stay must also be submitted to each adversely affected party named in this decision 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 regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

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

You will find attached to this decision a "Competitive Oil and Gas Lease Sale Results" which contains a list of persons who have purchased the protested parcels at the August 2008 sale and are, therefore, adverse parties who must be served with any pleadings.



Larry Claypool
Deputy State Director
Minerals and Lands

2 Attachments:

- 1 - Appeal Form (1842-1)
- 2 - August 2008 Oil and Gas Sale Results

Bidders:

Cust Nm	Address	City	State	Zip
ABO PETRO CORP	105 S 4TH ST	ARTESIA	NM	882102177
ARMSTRONG WYOMING LLC	1421 BLAKE ST	DENVER	CO	80202
BASELINE MINERALS INC	518 17TH ST STE 1050	DENVER	CO	802024113
BOYD THOMAS	1501 STAMPEDE AVE UNIT 9016	CODY	WY	824144728
BROWN MAURICE W	614 S GREELEY HWY	CHEYENNE	WY	820072850
BULLOCK VAN K	PO BOX 484	MORRISON	CO	804650484
BURKE ALICIA J	614 S GREELEY HWY	CHEYENNE	WY	820072850
CARPENTER & SONS INC	1551 THREE CROWNS DR STE 302	CASPER	WY	826043196
CONTEX ENERGY COMPANY	621 17TH ST STE 1020	DENVER	CO	802932501
DAUBE COMPANY THE	PO BOX 38	ARDMORE	OK	734020038
DIAMOND OIL LLC	350 BIG HORN RD UNIT B	CASPER	WY	826011782
DJ RESOURCES HOLDINGS LLC	1 RIVERWAY STE 1870	HOUSTON	TX	770562000
ENERGY WEST CORPORATION	PO BOX 1441	DENVER	CO	802011441
EXCO RESOURCES INC	12377 MERIT DR STE 1700	DALLAS	TX	752512256
EXTERRA RESOURCES LLC	256 SEABOARD LN # 101	FRANKLIN	TN	370672875
FARMER KENNETH K	PO BOX 2895	CASPER	WY	826022895
FINLEY RESOURCES INC	1308 LAKE ST STE 200	FORT WORTH SAINT	TX	761024505
FIRST CITY OIL & GAS LLC	24 CATHEDRAL PL STE 602	AUGUSTINE	FL	320844428
GAS VENTURES LLC	PO BOX 726	THERMOPOLIS	WY	824430726
GEOSPECTRUM INC	214 W TEXAS AVE STE 1000	MIDLAND	TX	797014609
GRANDE ENERGY COMPANY	309 W 7TH ST STE 500	FORT WORTH	TX	761026902
HANNON & ASSOC INC	1615 CALIFORNIA ST STE 623	DENVER	CO	802023723
HOOVER & STACY INC	PO BOX 2328	CHEYENNE	WY	820032328
HR ENERGY LLC	475 17TH ST STE 540	DENVER	CO	802024015
JK MINERALS INC	PO BOX 3393	CASPER	WY	826023393
JONES BEATRICE A	PO BOX 4027	CHEYENNE	WY	820034027
KIRKWOOD OIL & GAS LLC	PO BOX 3439	CASPER HIGHLANDS	WY	826023439
LACKEY MICHAEL J	10753 MIDDLEBURY WAY	RANCH	CO	801267501
LASRICH LANE	2597 BRIDGER BLVD	SANDY	UT	840931839
LONEWOLF ENERGY INC	PO BOX 81026	BILLINGS	MT	591081026
MARSHALL & WINSTON INC	PO BOX 50880	MIDLAND	TX	797100880
MORNINGSTAR ENERGY INC	72261 HIGHWAY 111 STE 202	PALM DESERT	CA	922602700
MOUNTAIN ENERGY LLC	1801 BROADWAY STE 1250	DENVER	CO	802023885
MUDDY MINERAL EXPLORATION LLC	PO BOX 459	CASPER	WY	826020459
MYCO INDUSTRIES INC	105 S 4TH ST	ARTESIA	NM	882102177
NEW FRONTIER ENERGY	1789 W LITTLETON BLVD	LITTLETON	CO	801202019
NORMIL JEFFRY	3241 STEELE ST APT 1	MEMPHIS	TN	381276333
NORTH FINN LLC	950 STAFFORD	CASPER	WY	826093205
OVER THE HILL LAND SVCS LLC	1580 LINCOLN ST STE 650 2795 E COTTONWOOD PKWY STE 400	DENVER SALT LAKE CITY	CO UT	802031503 841217033
OXBOW PROPERTIES INC	PO BOX 1714	GILLETTE	WY	827171714
PACER ENERGY LLC	PO BOX 2653	CODY	WY	824142653
PHOENIX PRODUCTION COMPANY	1212 RAINTREE DR # A5	FORT COLLINS	CO	805261871
R C MICHAEL CO INC	3549 N UNIVERSITY AVE STE 275	PROVO	UT	846045635
RIDGELAND OPER CO LLC	1675 LARIMER ST STE 820	DENVER	CO	802021523

ROYAL ENERGY RESOURCES INC	543 BEDFORD AVE # 176	BROOKLYN	NY	112118511
ROYALTY INVESTMENT LTD INC	1302 WAUGH DR # 641	HOUSTON	TX	770193908
SBG FOREVER INC	PO BOX 25629	SANTA ANA	CA	927995629
STRACHAN EXPL INC	383 INVERNESS PKWY STE 360	ENGLEWOOD	CO	801125864
SULLIVAN GERALD T	PO BOX 13437	DENVER	CO	802013437
SWANSON PRODUCTION CO LLC	518 17TH ST STE 1680	DENVER	CO	802024117
SWEPI LP	PO BOX 576	HOUSTON	TX	770010576
T S DUDLEY LAND CO INC	1888 SHERMAN ST STE 403	DENVER	CO	802031159
TRUJILLO ANN M	PO BOX 1252	CHEYENNE	WY	820031252
WARRIOR ENE HOLDINGS LLC	63317TH ST #1970	DENVER	CO	80202
YATES DRILLING CO	105 S 4TH ST	ARTESIA	NM	882102177
YATES PETROLEUM CORP	105 S 4TH ST	ARTESIA	NM	882102177