



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Montana State Office
5001 Southgate Drive
Billings, Montana 59101-4669
www.blm.gov/montana-dakotas

In Reply Refer To:
3120 (MT922)

April 24, 2018

Dear Reader:

The Bureau of Land Management (BLM) Montana State Office is deferring all 223 nominated parcels from the June 12, 2018, Competitive Oil and Gas Lease Sale. The Decision to defer the parcels is to ensure compliance with a court order issued on March 26, 2018. In *Western Organization of Resource Councils v. BLM*, CV 16-21-GF-BMM (D. Mont.), the court ordered that any new or pending oil and gas leases in the Miles City RMP planning area must undergo comprehensive environmental analyses in compliance with the court's opinion. Prior to leasing the nominated parcels, I have determined that additional environmental analysis is necessary. For a list of the deferred parcels, please see Enclosure 1.

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. § 4.400 and Form 1842-1 (Enclosure 2). If an appeal is taken, a Notice of Appeal must be filed in this office at the above address within 30 days from receipt of this Decision. A copy of the Notice of Appeal and of any statement of reasons, written arguments, or briefs must also be served on the Office of the Solicitor at the address shown on Form 1842-1. It is also requested that a copy of any statement of reasons, written arguments, or briefs be sent to this office. The appellant has the burden of showing that the Decision appealed from is in error.

If you have any questions, please contact Donato Judice, Deputy State Director, Energy Minerals and Lands, at (406) 896-5111.

Sincerely,

Jon K. Raby
Acting State Director

2 Enclosures

- 1-List of Deferred Parcels for the June 12, 2018, Competitive Oil and Gas Lease Sale
- 2- Form 1842-1

Enclosure 1- MCFO June 12, 2018 Lease Sale List of Deferred Parcels

PARCEL NUMBER
MTM 105431-Q9
MTM 105431-RE
MTM 105431-RD
MTM 105431-RG
MTM 105431-RH
MTM 105431-RM
MTM 105431-RV
MTM 105431-RW
MTM 105431-RX
MTM 105431-RY
MTM 105431-R3
MTM 105431-R6
MTM 105431-R7
MTM 105431-R8
MTM 105431-R9
MTM 105431-TA
MTM 105431-TB
MTM 105431-TC
MTM 105431-TE
MTM 105431-TF
MTM 105431-TG
MTM 105431-TK
MTM 105431-TL
MTM 105431-TM
MTM 105431-TN
MTM 105431-TQ
MTM 105431-TR
MTM 105431-TT
MTM 105431-TU
MTM 105431-TV
MTM 105431-T8
MTM 105431-T9
MTM 105431-UN
MTM 105431-UP
MTM 105431-UU
MTM 105431-U3
MTM 105431-U4
MTM 105431-U6
MTM 105431-U8
MTM 105431-U9
MTM 105431-VB
MTM 105431-VE
MTM 105431-VF
MTM 105431-VG
MTM 105431-VH
MTM 105431-VJ
MTM 105431-VK
MTM 105431-VM
MTM 105431-VN
MTM 105431-VP
MTM 105431-VQ
MTM 105431-W3

Enclosure I

PARCEL NUMBER
MTM 105431-W4
MTM 105431-V4
MTM 105431-V6
MTM 105431-V8
MTM 105431-WR
MTM 105431-WU
MTM 105431-WV
MTM 105431-XM
MTM 105431-XN
MTM 105431-XP
MTM 105431-XQ
MTM 105431-XR
MTM 105431-XT
MTM 105431-XU
MTM 105431-X6
MTM 105431-X7
MTM 105431-X9
MTM 105431-YA
MTM 105431-YB
MTM 105431-YC
MTM 105431-36
MTM 105431-37
MTM 105431-38
MTM 105431-39
MTM 105431-4A
MTM 105431-4B
MTM 105431-4C
MTM 105431-4D
MTM 105431-4E
MTM 105431-4T
MTM 105431-4U
MTM 105431-4V
MTM 105431-4W
MTM 105431-4X
MTM 105431-4Y
MTM 105431-43
MTM 105431-44
MTM 105431-46
MTM 105431-47
MTM 105431-48
MTM 105431-49
MTM 105431-6V
MTM 105431-6W
MTM 105431-63
MTM 105431-64
MTM 105431-7A
MTM 105431-7B
MTM 105431-7C
MTM 105431-7D
MTM 105431-7E
MTM 105431-7F
MTM 105431-YG

Enclosure 1

PARCEL NUMBER
MTM 105431-YJ
MTM 105431-YK
MTM 105431-YN
MTM 105431-YP
MTM 105431-YR
MTM 105431-3D
MTM 105431-3E
MTM 105431-3F
MTM 105431-3G
MTM 105431-3H
MTM 105431-3K
MTM 105431-3L
MTM 105431-3M
MTM 105431-3N
MTM 105431-3P
MTM 105431-33
MTM 105431-7G
MTM 105431-7H
MTM 105431-7J
MTM 105431-7L
MTM 105431-7M
MTM 105431-7P
MTM 105431-7Q
MTM 105431-7T
MTM 105431-7U
MTM 105431-7V
MTM 105431-7W
MTM 105431-7X
MTM 105431-78
MTM 105431-79
MTM 105431-8A
MTM 105431-9B
MTM 105431-9C
MTM 105431-9D
MTM 105431-9F
MTM 105431-9G
MTM 105431-9H
MTM 105431-96
MTM 105431-97
MTM 105431-98
MTM 108952-AH
MTM 108952-AJ
MTM 108952-AK
MTM 108952-AL
MTM 105431-9K
MTM 105431-9L
MTM 105431-9M
MTM 105431-9N
MTM 105431-9P
MTM 105431-9Q
MTM 105431-9R
MTM 105431-9T

Enclosure 1

PARCEL NUMBER
MTM 105431-9U
MTM 105431-9W
MTM 105431-9Y
MTM 105431-93
MTM 105431-94
MTM 108952-AF
MTM 108952-BA
MTM 108952-BR
MTM 108952-BU
MTM 108952-BW
MTM 108952-BX
MTM 108952-BY
MTM 108952-AX
MTM 108952-AY
MTM 108952-A4
MTM 108952-A6
MTM 108952-A7
MTM 108952-BK
MTM 108952-BM
MTM 108952-BN
MTM 108952-BP
MTM 108952-B9
MTM 108952-CB
MTM 108952-EW
MTM 108952-EX
MTM 108952-EY
MTM 105431-KM
MTM 105431-KN
MTM 97300-FH
MTM 105431-NJ
MTM 105431-NK
MTM 105431-MX
MTM 105431-NN
MTM 105431-MY
MTM 105431-PA
MTM 105431-PK
MTM 105431-ME
MTM 105431-MG
MTM 105431-MH
MTM 105431-N4
MTM 105431-N6
MTM 105431-PL
MTM 105431-PM
MTM 105431-PQ
MTM 105431-PU
MTM 105431-PV
MTM 105431-PW
MTM 105431-PR
MTM 105431-PN
MTM 105431-PP
MTM 105431-PT
MTM 105431-PX

Enclosure 1

PARCEL NUMBER
MTM 105431-PY
MTM 105431-P3
MTM 105431-P4
MTM 105431-P6
MTM 105431-P7
MTM 105431-P8
MTM 105431-P9
MTM 105431-QA
MTM 108952-D3
MTM 108952-D4
MTM 105431-JK
MTM 105431-JL
MTM 97300-D2
MTM 108952-E3
MTM 108952-E4

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF
APPEAL.....

A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the *Notice of Appeal* in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a *Notice of Appeal* in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).

2. WHERE TO FILE

NOTICE OF APPEAL..... U.S. Department of Interior, Bureau of Land Management, Montana State Office, 5001 Southgate Drive
Billings, MT 59101

WITH COPY TO
SOLICITOR... U.S. Department of the Interior, Office of the Solicitor, Rocky Mountain Region, 2021 4th Avenue North, Suite 112
Billings, MT 59101

3. STATEMENT OF REASONS

Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary (43 CFR 4.412 and 4.413).

WITH COPY TO
SOLICITOR..... U.S. Department of the Interior, Office of the Solicitor, Rocky Mountain Region, 2021 4th Avenue North, Suite 112
Billings, MT 59101

4. ADVERSE PARTIES.....

Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413).

5. PROOF OF SERVICE.....

Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).

6. REQUEST FOR STAY.....

Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21). 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 Interior Board of Land Appeals, the petition for a stay must accompany your *Notice of Appeal* (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). 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 this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (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 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 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.

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that **all** communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.

43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska
Arizona State Office ----- Arizona
California State Office ----- California
Colorado State Office ----- Colorado
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ----- Idaho
Montana State Office ----- Montana, North Dakota and South Dakota
Nevada State Office ----- Nevada
New Mexico State Office ---- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ----- Oregon and Washington
Utah State Office ----- Utah
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

(Form 1842-1, September 2006)