



# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

Wells Field Office  
3900 East Idaho Street  
Elko, Nevada 89801  
<http://www.blm.gov/nv>

SEP 15 2019

In Reply Refer To:  
3809 (NVE0300)  
NVN-

CERTIFIED MAIL – 7015 1520 0002 5084 2747 – RETURN RECEIPT REQUESTED

### DECISION

**Energytec Inc.**  
**4965 Preston Park Blvd**  
**Plano, TX 75093**

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3809 Surface Management

### DETERMINATION OF REQUIRED FINANCIAL GUARANTEE AMOUNT FINAL REDUCTION AND NOTICE CLOSURE

The Bureau of Land Management (BLM) Wells Field Office (WFO) inspected the Wood Hills South Notice (serialized as NVN- on May 25, 2019 and again on August 25, 2019. All required reclamation has been completed according to the reclamation plan and the performance standards at 43 CFR 3809.420. Accordingly, this Notice will be closed once the financial guarantee has been released.

This decision reduces the estimated reclamation cost for the Wood Hills South Notice from \$75,000 to \$0.00. A copy of this decision has been provided to the adjudication staff at the BLM Nevada State Office. You may file a request with that office at 1340 Financial Boulevard, Reno, Nevada 89502 for final release of your financial guarantee instrument for this project.

#### Appeal of the Decision

If you do not agree and are adversely affected by this decision, you may request that the Nevada BLM State Director review this decision. If you request a State Director Review, the request must be received in the Nevada BLM State Office at 1340 Financial Blvd, Reno, NV, 89502-7147 no later than 30 calendar days after you receive or have been notified of this decision. The request for State Director Review must be filed in accordance with the provisions in 43 CFR 3809.805. This decision will remain in effect while the State Director Review is pending, unless the State Director grants a Stay. If you request a Stay, you have the burden of proof to demonstrate that a Stay should be granted.

If the State Director does not act on your request for review of this decision within 21 days of receipt of the request, you should consider the request declined. You may appeal this decision to the Interior Board of Land Appeals (IBLA). You may contact the BLM State Office to determine when BLM received the request for State Director Review. You have 30 days from the end of the 21-day period in which to file your Notice of Appeal with this office at 3900 East Idaho Street, Elko, NV, 89801.

If you wish to bypass a State Director Review, this decision may be appealed directly to the IBLA in accordance with the regulations at 43 CFR 3809.801(a)(1). Your Notice of Appeal must be filed in this office within 30 days from receipt of this decision. As the appellant, you have the burden of showing that the decision is in error. Enclosed BLM Form 1842-1 contains further information on taking appeals to the IBLA (see Attachment A).

If you wish to file a petition pursuant to regulation 43 CFR 4.21 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 this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413 or Form 1842-1) 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 granting the Stay.

Sincerely,

A handwritten signature in black ink, appearing to read "Marc Jackson", with a circled "A" next to it.

Marc Jackson  
Field Manager  
Wells Field Office

Enclosure (1)

Attachment A: Form 1842-1, Information on Taking Appeals to the Interior Board of Land Appeals

cc:

BLM Nevada State Office, Attn: Kelly Rodriguez-NV923, 1340 Financial Boulevard, Reno, NV  
89502-7147 (w/o attachments)