



United States Department of the Interior  
 BUREAU OF LAND MANAGEMENT  
 Shoshone Field Office  
 400 West F Street  
 Shoshone, Idaho 83352-5284  
 (208) 732-7200



In Reply Refer To:  
 2850 (IDT030) P  
 IDI-16937/IDI-0-11477

October 1, 2012

CERTIFIED MAIL: 7011 1150 0000 0423 5695  
 RETURN RECEIPT REQUESTED

DECISION

Idaho Power Company	:	Right-of-Way Grants
PO Box 70	:	IDI-16937 and IDI-0-11477
Boise, ID 83707	:	

Right-of-Way IDI-16937 Renewed with the Consolidation of Right-of-Way IDI-0-11477  
Right-of-Way IDI-0-11477 Terminated/Closed  
Monitoring Fee Determined  
Rental Determined

The Bureau of Land Management (BLM), Shoshone Field Office has conducted a review of an application from Idaho Power Company for the renewal and consolidation of two rights-of-way that would allow the continued operation and maintenance of two 46kV power lines on public lands within Jerome County, Idaho. The right-of-way identified as IDI-16937 is renewed and also includes the uses previously authorized under right-of-way IDI-0-11477. The renewed consolidated right-of-way grant is for a noncontiguous area totaling approximately 3.035 miles in length and 80 to 160 feet in width containing 47.8 acres, more or less. The term for the renewed consolidated right-of-way is 30 years, after which the right-of-way could be terminated or renewed.

Right-of-way grant identified as IDI-0-11477 is hereby terminated and closed.

Based on my review of the project and field office staff recommendations, I have determined that the project is in conformance with the applicable land use plan and is categorically excluded from further environmental analysis. It is my decision to grant Idaho Power Company a renewed and consolidated right-of-way across public lands as proposed, pursuant to the authority of Section 302(b) of the Federal Land Policy and Management Act. Enclosed is a copy of the renewed and consolidated right-of-way grant, serial number IDI-16937, as well as a copy of the executed associated Plan of Development. The right-of-way grant will have an effective date of April 3, 2011.

It has been determined that a CX is appropriate in this situation because there are no extraordinary circumstances having effects that may significantly affect the environment. The CX (DOI-BLM-ID-T030-2011-0030-CX) describing the right-of-way is available at the following website: <https://www.blm.gov/epl-front-office/eplanning/projectSummary.do?methodName=renderDefaultProjectSummary&projectId=14656> or at the Shoshone Field Office.

Right-of-way holders must pay a fee to BLM for the costs we will incur in monitoring the operation and maintenance of your authorized use. These fees are categorized according to the number of work hours necessary to monitor the grant, and are not refundable. It has been determined that the appropriate Monitoring Category for this grant is Category IV, which involves a fee of \$1,089.00. The BLM received this fee on September 27, 2012.

Rent for use of public lands must be paid in advance of such use and prior to issuance of the right-of-way grant. Additionally, any unpaid rent must also be paid prior to final authorization of the right-of-way. The rental payment for the period from the effective date through December 31, 2012 and for unpaid rent for uses prior to that date has been determined to be \$8,837. BLM received this rental payment on September 27, 2012. Subsequent rental billings will be determined annually with the next rental payment due January 01, 2013.

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 above 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 2801.10 or 43 CFR 2881.10 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) 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.

If you have any questions, please contact Kasey Prestwich, Realty Specialist, at (208) 732-7204 or via email at [kprestwich@blm.gov](mailto:kprestwich@blm.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Codie Martin", with a large, stylized flourish at the end.

Codie Martin  
Acting Field Manager

3 Enclosures:

1. Executed Renewed/Consolidated Right-of-Way Grant, IDI-16937 (7 pp)
2. Executed Plan of Development, IDI-16937 (43 pp)
3. Information on Taking Appeals to the Interior Board of Land Appeals (1p)

cc:

Jerome County Commissioners  
Jerome County Planning and Zoning  
Jerome Highway District  
Idaho Department of Transportation  
Idaho Department of Lands  
Pres Co. Livestock Association