

**UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT**

Twin Falls District  
Burley Field Office  
15 East 200 South  
Burley, ID 83318  
Phone (208)677-6600/FAX (208)677-6699

**DECISION RECORD**

for the

**White Cloud Communications, Inc.  
Communication Site Lease Reissuance**

Case File No.: **IDI-37438**

NEPA No. **DOI-BLM-ID-T020-2013-0008-CX**

**I. Decision**

Based on my review of the project, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. I have decided to approve the action as proposed, per Title V of the Federal Land Policy and Management Act of 1976 and the BLM regulations at 43 CFR 2800, as described in the proposed action. Communication site lease application IDI-37438 will be approved and the communication site lease will be offered to White Cloud Communications, Inc. to construct, operate, maintain and terminate a communication site use which includes a 20' X 20' shelter and an open pole structure, 1000 gallon propane tank and 30 ft. X 3.3 miles access road. The lease will be issued with an expiration date of December 31, 2033. The authorization will include standard Terms, Conditions and Stipulations for communication site leases and the Cotterel Communication Site Plan. They will also be required to operate and be held to current regulations and policies including Motorola R56 Standards and bonding of communication sites. The Bureau will require a surety bond of \$12,000 in accordance to 43 CFR 2805.12 (g).

**Implementation Date:** This action will be implemented upon approval of the communication site lease by the Authorization Officer.

**II. Appeals**

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. 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 regulations 43 CFR 2801.10 or 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.

In the event a request for stay or an appeal is filed, the person/party requesting the stay or filing the appeal must serve a copy of the appeal on the Office of the Field Solicitor, 960 Broadway Ave., Suite 400, Boise ID, 83706.

### **III. Contact Person**

For additional information concerning this project, contact: Debbie Kovar, Realty Specialist, at (208) 732-7401 or via email at [dkovar@blm.gov](mailto:dkovar@blm.gov).

/S/

January 23, 2012

\_\_\_\_\_  
Michael C. Courtney  
Burley Field Office Manager

\_\_\_\_\_  
Date