



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:
2800 (IDT03100)
IDI4230

April 8, 2009

DECISION

Bureau of Land Management	:	
Shoshone Field Office	:	Right-of-Way Reservation
400 West F Street	:	IDI4230
Shoshone, ID 83352	:	

Right-of-Way Reservation IDI-4230 Amended

It is my decision that right-of-way (ROW) reservation, IDI-4230, for the Wildhorse road be amended to include two additional road segments. The two additional road segments are located on property that the BLM acquired from the State of Idaho in Phase I of the Wendell Land Exchange. The amendment will include the addition of about 2-miles of road and will keep the width at 100-feet wide.

The two additional road segments are located on the following described lands:

T. 1S, R. 22E, B.M.
Sec. 36: W2W2
T. 2S, R. 22E, B.M.
Sec. 36: W2NW, SENW, E2W2SW, W2E2SW

A copy of the amended ROW reservation is attached.

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 Tara Hagen, Realty Specialist, at (208) 732-7205.



Lori A. Armstrong
Field Manager

Attachment



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RIGHT-OF-WAY RESERVATION
IDI-4230
AMENDED

KNOW ALL MEN BY THESE PRESENTS, That in accordance with Section 507 of the Federal Land Policy and Management Act of 1976, as amended (90 Stat. 2781, 43 U.S.C. 1767) that the United States of America acting by and through the Bureau of Land Management, U.S. Department of the Interior, does hereby issue and reserve to the Department of the Interior, Bureau of Land Management, and its assigns, a right-of-way to located, construct, use, control, maintain, and improve a road over and across the following described real property situated in the **Counties of Blaine and Lincoln, State of Idaho**, to wit:

- T. 1S, R. 22E, B.M. (portions of)
 - Section 24: SESW
 - Section 25: E2NW, N2SW, SWSW
 - Section 36: W2W2
- T. 2S, R. 22E, B.M. (portions of)
 - Section 1: SWNW, W2SW, Lot 4
 - Section 12: W2NW, SW
 - Section 13: E2W2
 - Section 24: E2W2
 - Section 25: E2W2, SWSW
 - Section 36: W2NW, SENW, E2W2SW, W2E2SW
- T. 3S, R. 22E, B.M. (portions of)
 - Section 1: SWNW, W2SW, Lot 4
 - Section 12: SWNW, Lot 1

The parcels of land to which the above descriptions applies contains **127-acres**, more or less. The right-of-way area granted herein is **100-feet wide by about 10.5-miles long**. A map showing the right-of-way described above is attached hereto as **Exhibit A** and made a part thereof.

The right-of-way herein granted and reserved is for the full use of the above-described property for a road by the Bureau of Land Management, its licensees, permittees, agents, and contractors and is subject to reasonable rules and regulations of the Secretary of the Interior.

Dated this 8th Day of April, 2009

Lori A. Armstrong
Field Manager