

Nancy C. Craft JR
08/22/11
MS 9/2/11
9/12/11

In Reply Refer To: **SEP 14 2011**
2800 (WYD03)
WYW-174598-01 Amendment (ms)

Your Reference
Gateway West Geotechnical Boreholes

CERTIFIED MAIL NO. 7010 1670 0001 0117 0257
RETURN RECEIPT REQUESTED

Ms. Pam Anderson
PacifiCorp
1407 West North Temple, Suite #110
Salt Lake City, Utah 84116

DECISION
:
Amendment Approved
Rental Determined

Enclosed, please find a signed right-of-way amendment grant, serial number WYW-174598-01, which is hereby amended to authorize additional geotechnical testing bore holes in association with the Gateway West transmission line project. This amendment will consist of 25 bore holes on the Bureau of Land Management (BLM)-administered lands and access roads across the BLM lands. Each bore hole will be approximately 40-feet wide by 40-feet long and approximately .037 acres. The access roads will be approximately 22.59-miles long within a 30-foot wide right-of-way and will encumber approximately 82.150 acres. This amendment will encumber an additional 83.076 acres, more-or-less, for a right-of-way total of 89.976 acres.

The amendment is legally described as:

- T. 25 N., R. 75 W., 6th P.M., Albany County, Wyoming
- section 5: Lot 3, S $\frac{1}{2}$ NW $\frac{1}{4}$
- section 18: Lot 4, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$
- section 20: N $\frac{1}{2}$ N $\frac{1}{2}$
- section 22: N $\frac{1}{2}$ N $\frac{1}{2}$
- section 24: N $\frac{1}{2}$ N $\frac{1}{2}$

MSIMONS:km:8/22/11 Aug. WYW 174598-01 - Amendment Issue Letter FLPMA.docx
Enclosures maintained in Case File.

CORRESPONDENCE STAMP
 Subject Function File
 Reading File
 Case File
 Lease & Correspondence
 Carbon Copy
 Originator

T. 29 N., R. 76 W., 6th P.M., Converse County, Wyoming
 section 31: SE $\frac{1}{4}$ SW $\frac{1}{4}$

T. 24 N., R. 77 W., 6th P.M., Albany County, Wyoming
 section 4: Lot 1

T. 26 N., R. 78 W., 6th P.M., Carbon County, Wyoming
 section 6: Lot 3

T. 27 N., R. 78 W., 6th P.M., Carbon County, Wyoming
 section 6: Lot 5, SE $\frac{1}{4}$ NW $\frac{1}{4}$
 section 7: SE $\frac{1}{4}$ SW $\frac{1}{4}$
 section 18: Lot 3, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$
 section 31: SE $\frac{1}{4}$ SW $\frac{1}{4}$

T. 28 N., R. 78 W., 6th P.M., Carbon County, Wyoming
 section 31: Lot 18

T. 29 N., R. 78 W., 6th P.M., Natrona County, Wyoming
 section 7: S $\frac{1}{2}$ SE $\frac{1}{4}$
 section 8: SE $\frac{1}{4}$ SE $\frac{1}{4}$
 section 9: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
 section 10: NW $\frac{1}{4}$ SE $\frac{1}{4}$
 section 11: S $\frac{1}{2}$ SW $\frac{1}{4}$
 section 14: NW $\frac{1}{4}$ NW $\frac{1}{4}$
 section 15: Lot 1, 3-4, S $\frac{1}{2}$ NW $\frac{1}{4}$
 section 17: N $\frac{1}{2}$ NE $\frac{1}{4}$
 section 21: E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$
 section 28: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
 section 29: E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
 section 31: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
 section 32: NW $\frac{1}{4}$ NW $\frac{1}{4}$
 section 33: NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

T. 30 N., R. 78 W., 6th P.M., Natrona County, Wyoming
 section 12: N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

T. 25 N., R. 79 W., 6th P.M., Carbon County, Wyoming
 section 2: SW $\frac{1}{4}$ SW $\frac{1}{4}$

T. 26 N., R. 79 W., 6th P.M., Carbon County, Wyoming
 section 23: NE $\frac{1}{4}$ NE $\frac{1}{4}$
 section 24: NW $\frac{1}{4}$ NW $\frac{1}{4}$

T. 29 N., R. 79 W., 6th P.M., Natrona County, Wyoming
 section 14: SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

T. 24 N., R. 80 W., 6th P.M., Carbon County, Wyoming
section 26: SW¹/₄SE¹/₄

T. 23 N., R. 81 W., 6th P.M., Carbon County, Wyoming
section 22: E¹/₂E¹/₂, NW¹/₄NE¹/₄, NE¹/₄NW¹/₄

T. 21 N., R. 88 W., 6th P.M., Carbon County, Wyoming
section 32: SE¹/₄SE¹/₄

T. 19 N., R. 93 W., 6th P.M., Carbon County, Wyoming
section 12: E¹/₂SW¹/₄, NW¹/₄SE¹/₄

T. 19 N., R. 94 W., 6th P.M., Sweetwater County, Wyoming
section 10: SE¹/₄SE¹/₄
section 14: S¹/₂SW¹/₄

T. 20 N., R. 101 W., 6th P.M., Sweetwater County, Wyoming
section 4: SE¹/₄SE¹/₄
section 8: SW¹/₄NW¹/₄, NW¹/₄SW¹/₄

T. 21 N., R. 101 W., 6th P.M., Sweetwater County, Wyoming
section 36: SE¹/₄SW¹/₄, E¹/₂SE¹/₄, SW¹/₄SE¹/₄

T. 20 N., R. 102 W., 6th P.M., Sweetwater County, Wyoming
section 10: N¹/₂SE¹/₄, SE¹/₄SE¹/₄
section 14: W¹/₂NE¹/₄, E¹/₂W¹/₂, NW¹/₄NW¹/₄
section 22: S¹/₂S¹/₂

T. 20 N., R. 104 W., 6th P.M., Sweetwater County, Wyoming
section 10: N¹/₂N¹/₂

T. 20 N., R. 106 W., 6th P.M., Sweetwater County, Wyoming
section 6: Lot 7, NE¹/₄SW¹/₄

T. 21 N., R. 106 W., 6th P.M., Sweetwater County, Wyoming
section 34: SW¹/₄SW¹/₄

T. 21 N., R. 108 W., 6th P.M., Sweetwater County, Wyoming
section 26: W¹/₂NE¹/₄, NE¹/₄SW¹/₄, NW¹/₄SE¹/₄

This amendment is granted under the authority of Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761). It is amended subject to all valid existing rights, the terms and conditions of the original grant, approved September 8, 2010, and 43 CFR 2800. The rental for the amendment was figured to coincide with the original grant. The rental due through December 31, 2012, is \$1518.11 and has been received.

In addition, please find enclosed a fully-executed right-of-way grant amendment with its attachments. The term of this amendment to the right-of-way grant is being established to coincide with the original grant and expires on December 31, 2012.

The cost reimbursement provisions of 43 CFR 2805.16, establish a cost recovery fee schedule for monitoring fees. The BLM has determined your application falls under Category VI. Under this category, you are required to pay full reasonable costs of the BLM to process your case. These costs will be assessed against your existing cost reimbursement project account (K099).

Please reference the enclosed right-of-way grant amendment and note that condition 5a requires a Notice to Proceed be issued by each BLM field office prior to beginning operations within that field office.

The issuance of this right-of-way grant amendment constitutes a final decision by the BLM in this matter.

This decision may be appealed to the Interior Board of Land Appeals (IBLA), 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 pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2801.10 for a stay of the effectiveness of this decision during the time 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 IBLA and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with the BLM. 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.

Should you appeal, you must still pay the rental requested. Failure to pay on time may result in termination of the right-of-way [2806.13(c)].

Please note, however, that under the regulations in 43 CFR Group 2800, this decision is effective even if an appeal is filed.

If you have any questions or need additional information, please contact Matt Simons, Realty Specialist, at the address shown above, e-mail msimons@blm.gov, or telephone (307) 328-4282.

Sincerely,

/s/ Dennis Carpenter

Dennis J. Carpenter
Field Manager

2 Enclosures:

- 1 - Right-of-Way Grant Amendment
- 2 - Appeals Information (Form #1842-1)

cc: Mr. Todd Adams, Project Manager (w/o encl.)
Idaho Power Company
1221 West Idaho Street
Boise, ID 83702-5627

Mr. Walt Vering, Boise Office Manager, Senior Biologist (w/o encl.)
Tetra Tech
3380 Americana Terrace, Suite #201
Boise, ID 83706

bcc: Walt George, Project Manager (920)
Janelle Wrigley, Realty Officer (921)