



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:
 2810 (IDI03000)
 IDI-20205

November 4, 2009

CERTIFIED MAIL 7008 1140 0001 7610 5078
 RETURN RECEIPT REQUESTED

Decision

Jerome Highway District
 30 North 100 West
 Jerome, ID 83338

:
:
:
:
:
:

Right-of-Way Fence Amendment Granted

Re: IDI-20205 – Fence Amendment

Enclosed is your executed copy of the above referenced right-of-way grant. This grant is your authorization to occupy the federal lands as described therein, subject to the terms, conditions, and stipulations as stated.

Appeal Information

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 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. 4

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 Lisa Lyda, Natural Resource Specialist, at 208-732-7272.

Sincerely,


for Ruth Miller
Field Manager

Enclosures