



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Spokane District Office  
1103 N. Fancher Road  
Spokane Valley, Washington 99212-1275

IN REPLY REFER TO:

287001 (ORW030)  
WAOR 35492

September 23, 2015

**CERTIFIED MAIL - Return Receipt No. 7014 1200 0001 0176 3801**

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## DECISION

Mr. Glen Bundy :  
2845 Bundy Road : Right-of-Way Grant WAOR 35492  
Chewelah, WA 99109 :  
: :  
: :

Right-of-Way Grant Renewal WAOR 35492 Issued  
Rental Determined  
Monitoring Fee Determined

I have reviewed the documentation for this proposal (DOI-BLM-OR-135-2015-0009), and have determined that authorizing a right-of-way for this use would be categorically excluded from NEPA. Under authority of Title V of the Federal Land Policy and Management Act of 1976, a right-of-way grant will be issued to Glen Bundy approving the renewal authorization for a water pipeline on public land in Stevens County, Washington. The 5" PVC water pipeline operation and maintenance granted herein is 15 feet wide, 1,510 feet long and contains .52 acres.

Enclosed is a copy of your executed right-of-way (ROW) grant, serial number WAOR 35492, which allows the authorized use of a water pipeline on public land. The right-of-way grant renewal was approved by the Bureau of Land Management (BLM) on September 23, 2015.

The advance rent for the ROW was determined to be \$786.83 for the entire period of the grant to December 31, 2044. The monitoring fee for the ROW was determined to be Category 1, resulting in a fee of \$121.00 for a total amount of \$ 907.83. Both of these amounts have been received and a receipt is enclosed.

The issuance of this right-of-way grant may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at 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 proof 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 about this decision or the enclosed right-of-way grant, please contact Heidi Lee Honner, Realty Specialist at (509) 536-1216.

Sincerely,

/s/ Lindsey Babcock  
Lindsey Babcock, Field Manager  
Border Field Office

3 Enclosures:

- 1 - Right-of-way grant, Maps, and Stipulations
- 2 - Receipt for Processing, Monitoring Fee, and Rent Payments
- 3 - Form 1842-1