



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Royal Gorge Field Office
3028 East Main Street
Cañon City, Colorado 81212
<http://www.blm.gov/co/st/en/fo/rgfo.html>



*Robtze May 27, 13
JML 5/27/13*

In Reply Refer To:
2920(P), COF02000(rar)
COC-74484

MAY 29 2015

CERTIFIED MAIL – RETURN RECEIPT REQUESTED
7014 1200 0001 4999 6667

Over the River Corporation :
1942 Westlake Avenue, Apt 2814 : Land Use Permit Renewal COC-74484
Seattle, WA 98101 :

Land Use Permit COC-74484 Renewed
Rental Determined

Enclosed is your land use permit (LUP), serial number COC-74484, which allows the use of public land for installation, display, removal, and reclamation of the Over the River art project.

Rental is determined to be \$83,750.00 per year. The Bureau of Land Management has received your rental payment through the period ending May 13, 2016. All subsequent rental payments are due prior to May 13 of each year throughout the term of the permit.

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 or need additional information, please contact Rich Rotte, Realty Specialist at 719-269-8519 or rrotte@blm.gov.

/s/ Keith E. Berger

Keith Berger
Field Manager
Royal Gorge Field Office

Enclosures:

Land Use Permit COC-74484
BLM Form 1842-1

PERMIT

Permission is hereby granted to Over the River Corporation of 1942 Westlake Avenue, Apt. 2814, Seattle, WA 98101 to use the following described lands: See Attachments A and B, dated October 13, 2011	Permit Number COC-74484
---	-----------------------------------

TOWNSHIP	RANGE	SECTION	SUBDIVISION
----------	-------	---------	-------------

Meridian	State Colorado	County Chaffee and Fremont Counties	Acres (number) ±158.59
----------	--------------------------	---	----------------------------------

for the purpose of
Installation, display, removal, and reclamation of the Over the River art project.

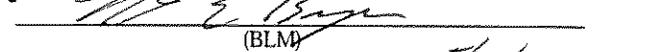
and subject to the following conditions:

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. This permit is issued for the period specified below. It is revocable at the discretion of the BLM, at any time upon notice. This permit is subject to valid adverse claims heretofore or hereafter acquired. 2. This permit is subject to all applicable provisions of the regulations (43 CFR 2920) which are made a part hereof. 3. This permit may not be assigned without prior approval of the BLM. 4. Permittee must not enclose roads or trails commonly in public use. 5. Authorized representatives of the Department of the Interior, other Federal agencies, and State and local law officials will at all times have the right to enter the premises on official business. 6. Permittee must pay the United States for any damage to its property resulting from the use. 7. Permittee must notify the BLM of address change immediately. 8. Permittee must observe all Federal, State, and local laws and regulations applicable to the premises and to erection or maintenance of signs or advertising displays including the regulations for the protection of game birds and game animals, and must keep the premises in a neat, orderly, and sanitary condition. 9. Permittee must pay the BLM, in advance, the lump sum of \$ _____ for the period of use authorized | <p>by this permit or \$ 83,750.00, annually, as rental or such other sum as may be required if a rental adjustment is made.</p> <ol style="list-style-type: none"> 10. Use or occupancy of land under this permit will commence within 24 months from date hereof and must be exercised at least 14 days each year. 11. Permittee must take all reasonable precautions to prevent and suppress forest, brush, and grass fires and prevent pollution of waters on or in the vicinity of the lands. 12. Permittee must not cut any timber on the lands or remove other resources from the land without prior written permission from the BLM. Such permission may be conditioned by a requirement to pay fair market value for the timber or other resources. 13. Permittee agrees to have the serial number of this permit marked or painted on each advertising display or other facility erected or maintained under the authority of such permit. 14. This permit is subject to the provisions of Executive Order No. 11246 of September 24, 1965, as amended, which sets forth the Equal Opportunity clauses. A copy of this order may be obtained from the BLM. 15. Permittee acknowledges, by signing below, that he/she knows, understands and accepts the terms and conditions under which this permit is issued. |
|--|---|
16. Special conditions (attach additional sheets, if necessary)
 See attachment A dated October 13, 2011.

Permit issued for period

From 05/14/2015

To 05/13/2018


 (Permittee)

 (BLM)
 Field Manager (Title) 5/27/15 (Date)

INSTRUCTIONS

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Submit, in <i>duplicate</i>, to any local office of the Bureau of Land Management having jurisdiction of the lands. 2. Applications for Land Use Permits will not be accepted unless a notification of the availability of the land for non-BLM use (<i>Notice of Realty Action</i>) has been published in the Federal Register and for 3 weeks thereafter in a newspaper of general circulation. This provision does not apply in those situations where the publication of | <p>a (<i>Notice of Realty Action</i>) has been waived by the BLM.</p> <ol style="list-style-type: none"> 3. Costs of processing the application must be paid by the applicant in advance. 4. The BLM may require additional information to process an application. Processing will be deferred until the required information is furnished by the applicant. |
|--|--|

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

-
- | | |
|----------------------------------|---|
| 1. NOTICE OF APPEAL | A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the <i>Notice of Appeal</i> in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a <i>Notice of Appeal</i> in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413). |
|----------------------------------|---|
-
- | | |
|--|---|
| 2. WHERE TO FILE

NOTICE OF APPEAL | BUREAU OF LAND MANAGEMENT
ROYAL GORGE FIELD OFFICE
3028 EAST MAIN STREET
CANON CITY, CO 81212 |
|

WITH COPY TO SOLICITOR |

REGIONAL SOLICITOR
ROCKY MOUNTAIN REGION
755 PARFET STREET, SUITE 151
LAKEWOOD, CO 80215 |
-
- | | |
|---|--|
| 3. STATEMENT OF REASONS

WITH COPY TO SOLICITOR | Within 30 days after filing the <i>Notice of Appeal</i> , file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the <i>Notice of Appeal</i> , no additional statement is necessary (43 CFR 4.412 and 4.413).

REGIONAL SOLICITOR
ROCKY MOUNTAIN REGION
755 PARFET STREET, SUITE 151
LAKEWOOD, CO 80215 |
|---|--|
-
- | | |
|---------------------------------|---|
| 4. ADVERSE PARTIES | Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the <i>Notice of Appeal</i> , (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413). |
|---------------------------------|---|
-
- | | |
|----------------------------------|--|
| 5. PROOF OF SERVICE | Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)). |
|----------------------------------|--|
-
- | | |
|----------------------------------|---|
| 6. REQUEST FOR STAY | Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a <i>Notice of Appeal</i> (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your <i>Notice of Appeal</i> (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the <i>Notice of Appeal</i> 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 (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 regulations, 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. |
|----------------------------------|---|

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.

43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska
Arizona State Office ----- Arizona
California State Office ----- California
Colorado State Office ----- Colorado
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ----- Idaho
Montana State Office ----- Montana, North Dakota and South Dakota
Nevada State Office ----- Nevada
New Mexico State Office --- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ----- Oregon and Washington
Utah State Office ----- Utah
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.