

FORM 2800-14
(August 1985)

Issuing Office
Salmon District

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT

SERIAL NUMBER IDI-29320

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1. A right-of-way is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).
 2. Nature of Interest:
 - a. By this instrument, the holder:

Williams Lake Water and Sewer District
P.O. Box 82
Salmon, ID 83467

receives a right to construct, operate, maintain, and terminate a pipeline/road on public lands described as follows:

T. 20 N., R. 21 E., Sec. 34, SENESE
T. 20 N., R. 21 E., Sec. 34, N1/2SE
 - b. The right-of-way or permit area granted herein is 50 feet wide, 2,640 feet long for pipeline, 25 feet wide, 330 feet long for temporary road, and contains 3.2 acres.
 - c. This instrument shall terminate upon expiration of lease 30 years from the effective date of this grant unless prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
 - d. This instrument may be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.
 - e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

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3. Rental:

The Williams Lake Water and Sewer District is exempt from paying rental under the regulations contained in 43 CFR 2808.1 and 2808.12. All sources of revenue for the District are received entirely from taxes paid by property owners in the District (see attached Decision).

4. Terms and Conditions: (See attached Stipulations)

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

Harold B. Liss

(Signature of Holder)

Stephanie Snook

(Signature of Authorized Officer)

Chairman Wm Lake Water Dist
(Title)Acting General Manager
(Title)8-5-1994

(Date)

8/5/94

(Effective Date of Grant)

STIPULATIONS

IDI-29320
Williams Lake Pipeline
Right-of-Way

1. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
2. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
3. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
4. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.
5. The holder is prohibited from discharging oil or other pollutants into or upon the navigable waters of the United States, adjoining shorelines, or the waters of the contiguous zone in violation of Section 311 of the Clean Water Act as amended, 33 U.S.C. 1321, and the regulations issued thereunder, or applicable laws of the State of Idaho and regulations issued thereunder. Holder shall give immediate notice of any such discharge to the authorized officer and such other Federal and State officials as are required by law to be given such notice.
6. The holder shall re-contour the disturbed area and obliterate all earthwork by removing embankments, backfilling excavations, and grading to re-establish the approximate original contours of the land in the right-of-way.
7. The holder shall seed all disturbed areas, using an agreed upon method suitable for the location. Seeding shall be repeated if a satisfactory stand is not obtained as determined by the authorizing officer upon evaluation after the first growing season.
8. Except rights-of-way expressly authorizing a road after construction of the facility is completed, the holder shall not use the right-of-way as a road for purposes other than routine maintenance as determined necessary by the authorized officer in consultation with the holder.
9. All electric facilities, equipment, and their installation shall conform to the current National Electrical Safety Code and applicable laws and all regulations.
10. Holder shall remove only the minimum amount of vegetation necessary for the construction of structures and facilities. Topsoil shall be conserved during excavation and reused as cover on disturbed areas to facilitate regrowth of vegetation.
11. All design, material, and construction, operation, maintenance, and termination practices shall be in accordance with safe and proven engineering practices.

12. Fences, gates, and brace panels shall be reconstructed to appropriate Bureau standards and/or specifications as determined by the authorized officer.
13. Construction-related traffic shall be restricted to routes approved by the authorized officer. New access roads or cross-country vehicle travel will not be permitted unless prior written approval is given by the authorized officer. Authorized roads used by the holder shall be rehabilitated or maintained when construction activities are complete as approved by the authorized officer.
14. The holder shall construct, operate, and maintain the facilities, improvements, and structures within this right-of-way in strict conformity with the plan(s) of development which were approved and made part of the grant on date of signature. Any relocation, additional construction, or use that is not in accord with the approved plan(s) of development, shall not be initiated without the prior written approval of the authorized officer. A copy of the complete right-of-way grant, including all stipulations and approved plan(s) of development, shall be made available on the right-of-way area during construction, operation, and termination to the authorized officer. Noncompliance with the above will be grounds for an immediate temporary suspension of activities if it constitutes a threat to public health and safety or the environment.
15. The holder shall contact the authorized officer at least 10 days prior to the anticipated start of construction and/or any surface disturbing activities. The authorized officer may require and schedule a preconstruction conference with the holder prior to the holder's commencing construction and/or surface disturbing activities on the right-of-way. The holder and/or his representative shall attend this conference. The holder's contractor, or agents involved with construction and/or any surface disturbing activities associated with the right-of-way, shall also attend this conference to review the stipulations of the grant including the plan(s) of development.
16. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
17. The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods (within limits imposed in the grant stipulations).
18. The holder shall trim trees in preference to cutting trees and shall cut trees in preference to bulldozing them as directed by the authorized officer.
19. The holder will provide and install a single spigot to the private/public property boundary at the BLM's Williams Lake Recreation Site and to the USFS property boundary on the north end of the lake. These supply lines will be at a minimum the same size and nature as those supplying the homesites.