

United States Department of the Interior
BUREAU OF LAND MANAGEMENT

Upper Snake Field Office
1405 Hollipark Drive
Idaho Falls, Idaho 83401-2100

In Reply Refer To:

IDI-35149 (310)

December 15, 2005

CERTIFIED MAIL #7004 2510 0002 4400 8320
RETURN RECEIPT REQUESTED

DECISION

Mud Lake Water Users, Inc. :
P. O. Box 68 : Right-of-Way Grant IDI-35149
Terreton, ID 83450 :

Right-of-Way Grant IDI-35149 Issued
Rental Determined
Monitoring Fee Determined

Enclosed is a copy of your right-of-way (ROW) grant, serial number IDI-35149, which allows the use of public land for an irrigation well and pipeline. It was approved by the BLM on December 15, 2005.

The advance rental for the ROW is determined to be \$5,020.83 for the period from December 15, 2005 to December 14, 2025. BLM has received your advance rental for this period.

The monitoring fee for this ROW is determined to be a Category 1, which is \$ 97.00. BLM has received your monitoring fee.

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.

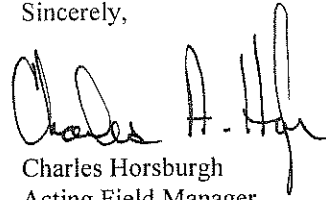
Standards for Obtaining a Stay

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, please contact Skip Staffel, Realty Specialist, at (208) 524-7562.

Sincerely,



Charles Horsburgh
Acting Field Manager

Enclosures
Right-of-Way Grant IDI-35149
BLM Form 1842-1