

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON

CODE OF FEDERAL REGULATIONS
TITLE 43--PUBLIC LANDS: INTERIOR
CHAPTER I--BUREAU OF LAND MANAGEMENT

PART 245--RIGHTS-OF-WAY OVER AND UPON PUBLIC LANDS AND
RESERVATIONS OF THE UNITED STATES FOR ELECTRICAL PLANTS
AND TRANSMISSION LINES

The first sentence of section 245.21 is amended and new paragraphs are added, to read as follows:

Section 245.21 Stipulation required as a condition precedent to the approval of permit. The applicant shall file with the application required under section 245.9 of these regulations, a duly executed stipulation expressly agreeing to accept the power permit subject to the following terms and conditions, excepting those which the Secretary may waive in a particular case, to wit: * * *

(v) Upon such terms and conditions and in such manner as the Secretary may direct, to permit the Government or any agency or instrumentality thereof, hereinafter referred to as the Government, to interconnect its transmission facilities with the transmission line of which the line for which a permit is requested forms a part; to construct, operate and maintain such line and all related facilities, wherever situated, in such manner and condition as to make available to the Government the effective use of such line for the transmission of electric power and energy in such manner and for such amounts as will not unreasonably interfere with the permittee's use of the line; and to permit the Government to so use the line in accordance with terms and conditions agreed upon by the Secretary and the permittee, including the terms upon which the Government will pay its proportionate share of the monthly cost of the lines.

(w) That the right-of-way or site shall be subject to the express condition that the exercise or use thereof will not interfere in any way with the leasing and administration by the United States of the lands affected thereby, or with the development of oil, gas, potassium, sodium or other leasable minerals therefrom; and that the permittee agrees and consents to the occupancy and use by the United States, its permittees or lessees of any part of the right-of-way not actually occupied by the project, for necessary operations incident to the development and production of oil, gas, potassium, sodium or other leasable minerals.

(x) That there is reserved right-of-way for reservoirs, dams, and other works which may hereafter be constructed for the development of hydroelectric power or irrigation, under authority of the United States, and that the use of the right-of-way by the permittee for the purpose authorized shall be discontinued without liability or expense to the United States when found by the Secretary to be in conflict with such power or irrigation works.

(y) To make provision, or bear the reasonable cost (as may be determined by the Secretary) of making provision for avoiding inductive interference between any project transmission line or other project works constructed, operated, or maintained by it on the right-of-way authorized under the permit or easement, and any radio installation, telephone line or other communication facilities now or hereafter constructed and operated by the United States or any agency thereof. This provision shall not relieve the permittee from any responsibility or requirement which may be imposed by other lawful authority for avoiding or eliminating inductive interference.

(Sgd) MARION CLAWSON.

Director.

Approved: October 14, 1948

(Sgd) C. GIRARD DAVIDSON

Acting Secretary of the Interior

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