

NOTE: This disposition is nonprecedential.



United States Department of the Interior
Office of Hearings and Appeals
Interior Board of Land Appeals
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June 20, 2016

IBLA 2016-81)	WYW-088867
)	
MERIT MANAGEMENT)	Right-of-Way
PARTNERS I, L.P., <i>ET AL.</i>)	
)	Motion for Remand Granted;
)	Request for Board Order Denied;
)	Appeal Dismissed

ORDER

Appellants have appealed from a December 15, 2015, decision issued by the High Desert District (Wyoming), Bureau of Land Management (BLM). BLM established annual rent of \$107,000 for right-of-way WYW-088867.

BLM's Motion for Remand

Counsel for BLM recently filed with the Board a Motion for Remand (Motion). Therein, counsel explains that the agency no longer supports its rental determination. Counsel moves the Board to remand the matter back to BLM so that it can withdraw the December 15, 2015, decision. Appellants do not oppose the Motion.

Based on parties' representations, we grant BLM's Motion.¹ The matter is remanded to the agency for further review.

Appellants' Request for Board Order

Appellants request the Board to issue an Order directing BLM to fully refund appellants' rentals paid under protest and provide appellants an unredacted copy of any subsequent appraisal relied upon by BLM to charge appellants rent.

¹ 43 C.F.R. § 4.407(c).

We deny appellants' request for a Board Order directing BLM to engage in future actions.² The Board has no supervisory authority over Departmental bureaus and agencies.³

Accordingly, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior,⁴ BLM's Motion is granted and the matter is remanded to the agency for further action, Appellants' Request is denied, and this appeal is dismissed from the Board's docket.

_____/s/_____
Eileen G. Jones
Chief Administrative Judge

I concur:

_____/s/_____
James F. Roberts
Deputy Chief Administrative Judge

² *Id.*

³ *See Benson-Montin-Greer Drilling Corp.*, 178 IBLA 11, 18-19 (2009).

⁴ 43 C.F.R. § 4.1.