

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

SPECIAL LAND-USE APPLICATION AND PERMIT  
(See Instructions on reverse)

FORM APPROVED  
BUDGET BUREAU NO. 42-R996.1

Office  
Portland

Serial Number  
Oregon ORE013127

1. Name (First name, middle initial, & last name):  
State of Oregon  
Dept. of Geology & Mineral Industries

Post Office address:  
1069 State Office Building  
Portland, Oregon

2a. I hereby apply for a special land-use permit for the public lands described as follows:

All

Section 1, Township 24 S, Range 15 E, Willamette Meridian, State of Oregon

b. I desire a permit for a period of ~~--- years (not to exceed five years)~~ 2 months

c. The public lands are adjacent to a highway  
 Yes  No If yes, complete the following:  
Type of highway:  Federal  State  City.  
Highway No. \_\_\_\_\_

d. The public lands are \_\_\_\_\_ miles from \_\_\_\_\_  
(Nearest city or town)

3a. I am at least 21 years of age  Yes  No

b. I am a citizen of the United States  Yes  No

c. I am not a citizen but have filed the necessary declaration of intention  Yes  No

d. The applicant is a  partnership  association  corporation and the statements required by Instruction No. 2 are attached  
State Agency

4. I have examined the lands described above  Yes  No If yes, give date(s):

5a. The lands are now improved, occupied, or used  
 Yes  No If yes, describe improvements and purposes, and identify users and occupants.

BLM Range Improvement Projects

b. There are springs or water holes on the lands  
 Yes  No If yes, give particulars:

BLM Range Improvement

c. Proposed source of water for domestic or other use

d. The lands contain minerals  Yes  No  
If yes, specify:

e. The lands contain timber  Yes  No If yes, list species and volume of timber:

6a. I propose to use the lands for the following purposes:  
Determining suitability of lands for possible lunar base test sites.

b. I intend to make the following improvements on the lands.  
(Describe improvements and attach drawings, if convenient): Disturbance of lands will be core drillings of no greater than 1½ inches in diameter and only a few feet in length.

c. Estimated cost of proposed improvements:

\$ \_\_\_\_\_

d. Proposed sanitation facilities:

7. I make this application for my own use and benefit, except as follows (If there are no exceptions, write "None"):

Permission is hereby granted to State of Oregon, Department of Geology and Mineral Industries

of \_\_\_\_\_

to use the following-described lands:

All

Section 1, Township 24 S, Range 15 E, Willamette Meridian, State of Oregon  
for the purpose of determining locations for possible lunar base test sites

and subject to the following conditions:

(1) This permit is issued for the period from 1/20, 19 63 to 2/28 19 63, and is revocable for any breach of the conditions hereof. It is also revocable at the discretion of the authorized officer of the Bureau of Land Management, at any time, upon notice, if in his judgment the lands should be devoted to another use. The permit is subject to valid adverse claims heretofore or hereafter acquired.

(2) The permittee shall pay annually, in advance, to the signing officer as rental the sum of \_\_\_\_\_ dollars, or such other sum as may be required if an adjustment of rental is made.

(3) The permittee shall observe all Federal, State, and local laws and regulations applicable to the premises, and to the erection or maintenance of signs or advertising displays, including the regulations for the protection of game birds and game animals, and shall keep the premises in a neat, orderly, and sanitary condition.

(4) The use or occupancy of the land under this permit shall commence within \_\_\_\_\_ months from the date hereof and shall be exercised at least \_\_\_\_\_ days each year.

(5) The permittee shall take all reasonable precautions to prevent and suppress forest, brush, and grass fires, and to prevent the pollution of waters on or in the vicinity of the lands.

(6) Authorized representatives of the Department of the Interior and other Federal agencies, and game wardens shall at all times have the right to enter the premises on official business.

(7) The permittee shall not enclose roads or trails commonly in public use.

(8) The permittee shall pay the United States for any damage to its property resulting from this use.

(9) The permittee shall immediately notify the signing officer of a change of address.

(10) This permit is subject to all of the applicable provisions of the regulations (43 CFR, Part 258) which are made a part hereof.

(11) The permittee agrees to have the serial number of this permit marked or painted on each advertising display erected or maintained under the authority of such permit.

(12) The permittee shall not cut any timber on the lands without prior permission of the signing officer.

(13) Special stipulations:

The permittee agrees not to disturb any existing improvements on the land, and that structural weaknesses will not be created in Derrick Cave which might render it unfit for nuclear shelter purposes as presently being considered by the County.

  
Authorized Officer

**JAN 18 1963**

(Date)

State Director (Title)

INSTRUCTIONS

1. This application may be submitted to any local office of the Bureau of Land Management having jurisdiction over the lands. It must be submitted in *duplicate*.

2. An application by a partnership or association must be accompanied by a statement by each member that he is a citizen of the United States or has filed a declaration to become a citizen. An application by a corporation must be accompanied by a statement showing that the corporation is authorized to hold land in the State or Territory in which the land is located and that the person making

governmental agency. Checks must be made payable to the Bureau of Land Management.

4. If this application is for permission to erect an advertising display or sign, the applicant must: (a) attach an accurate and fully descriptive diagram, sketch, or photograph (at least 3" x 5") of the sign or display to be erected showing the dimensions, type of construction, estimated cost, the advertising material to be included thereon, the plan of illumination, if any, and the manner of attachment to the land; and (b) a photograph (at least

# TITLE 43—PUBLIC LANDS: INTERIOR

## Chapter I—Bureau of Land Management, Department of the Interior

(Circular 1916)

### PART 258—SPECIAL LAND-USE PERMITS FOR PUBLIC LANDS WITHIN OR OUTSIDE OF GRAZING DISTRICTS

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AUTHORITY: §§ 258.1 to 258.26 issued under R. S. 2478; 43 U. S. C. 1201.

#### IN GENERAL

§ 258.1 *Statutory authority.* Authority to issue special land-use permits for public lands within or outside of grazing districts for purposes other than grazing is found in R. S. 453 (43 U. S. C. 2), which provides that the Director, Bureau of Land Management, shall perform, under the direction of the Secretary of the Interior, all executive duties appertaining to the surveying and sale of the public lands of the United States, or in anywise regarding such public lands.

§ 258.2 *Policy; use of lands.* (a) It is the policy of the Secretary of the Interior, in the administration of the public lands within or outside of grazing districts, to permit, where practical, the beneficial use thereof for special purposes not specifically provided for by the existing public land laws. Permits for such special use will not be issued, however, in any case where the provisions of the existing public land laws may be invoked. For example, they will not be issued to authorize the use of the public lands for home, cabin, camp, health, convalescent, recrea-

tional, or business sites for which leases may be issued under the act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), or for the development of minerals, or for the securing of rights-of-way obtainable under existing laws, or for any use directly or indirectly relating to grazing.

(b) The contemplated use must not be in conflict with any Federal or State laws.

(c) An applicant must state in his application the use to which he intends to put the lands, and he will not be permitted to devote them to any other use, unless he secures an additional permit.

§ 258.3 *Qualifications of applicants.* Any person, over 21 years of age, who is a citizen of the United States, or who has declared his intention to become a citizen, or any group or association composed of such persons, or any corporation organized under the laws of the United States or of any State or Territory thereof, authorized to conduct business in the State in which the land involved is situated, or any agency of the Federal Government, or any State or political subdivision thereof, may file such application.

§ 258.4 *Execution of applications.* Applications must be executed in duplicate on Form 4-972.<sup>1</sup> The application must be filed in the proper land office in the State or Territory, or for lands in a State in which there is no land office, shall be filed with the Bureau of Land Management, Washington 25, D. C., except the application for land in North or South Dakota shall be filed in the land office at Billings, Montana; application for land in Nebraska or Kansas shall be filed in the land office at Cheyenne, Wyoming; and for lands in Oklahoma in the land office at Santa Fe, New Mexico. Application for O & C land in Oregon shall be filed in the appropriate district forestry office.

§ 258.5 *Fees.* A fee of \$5 will be required with each application, except applications by agencies of the Federal Government and agencies of the States and political subdivisions thereof. The fee paid by an applicant will be returned if the application is rejected.

§ 258.6 *Occupancy of land prior to permit.* An application for special land-use permit will not entitle the applicant to occupy the land prior to the issuance of a permit. Any occupation of the land prior to the issuance of a permit, or use thereafter except in accordance with the terms of the permit, is hereby prohibited.

§ 258.7 *Term of permit; renewal.* A special land-use permit may be issued for a period of not exceeding 5 years and will be revocable for any breach of condition thereof. It also will be revocable in the discretion of the authorized officer, at any time, upon notice, if in his judgment the lands should be devoted to another use. Upon the expiration of a permit, if the permittee has complied with the provisions thereof, he will be considered the preferred applicant for a new permit under regulations then in force, provided no superior claim to the land has been asserted in the meantime.

§ 258.8 *Rental.* (a) Each permittee will be required to pay to the Bureau of Land Management, in advance, the annual rental fixed by the permit, which shall be based upon the value of the land for the use to which it is to be put. The annual rental may be adjusted from year to year, in the discretion of the authorized officer. In no case, however, will the minimum rental charge be fixed at less than \$5 per annum.

(b) Special land-use permits applied for by agencies of the Federal Government and agencies of States and political subdivisions thereof may, in the discretion of the authorized officer, be issued without rental charge.

§ 258.9 *Permit area; description and marking of land.* A special land-use permit will not be issued for more than 5 acres, except upon a showing of special need, satisfactory to the authorized officer. The land must be vacant public land, or public land withdrawn or reserved under authority of the Secretary of the Interior, surveyed or unsurveyed. If surveyed, the land must be described in the application by legal subdivisions of the public land surveys. The smallest legal subdivision in a quarter-quarter section or fractional lot that will be considered is 2½ acres. Where, however, a fractional lot contains less than 2½ acres, a permit may be issued for the entire lot. If unsurveyed, the land must be described by metes and bounds, with substantial monuments at each corner and with a tie to a nearby corner of the public land surveys, if fea-

<sup>1</sup> Filed as part of the original document. Copies may be obtained on request from any land office or from the Bureau of Land Management, Washington 25, D. C.

ible. If such tie is not feasible, the location must be otherwise identified with certainty, preferably with reference to prominent topographic or cultural features. The land must be taken in rectangular form, if at all practicable.

§ 258.10 *Land not segregated.* A special land-use permit will be subject to valid adverse claims theretofore or thereafter acquired and to the filing of applications and the acquisition of rights by others, as follows:

(a) Applications and selections may be made under nonmineral laws, subject to the revocation of the permit.

(b) The mineral contents in the land shall at all times be subject to prospecting, location, developing, mining, entering, leasing, or patenting under the provisions of the applicable general mining laws or mineral leasing laws.

(c) The special land-use permit shall be subject to any permit issued under the act of June 8, 1906 (34 Stat. 225; 16 U. S. C. 431-433), to explore for objects of antiquity on the public lands.

(d) The special land-use permit shall not restrict the acquisition by grant or permit of rights-of-way under existing laws.

§ 258.11 *Timber.* A special land-use permit will not entitle an applicant to cut and remove timber from the land. If he wishes to cut and remove the timber, application therefor must be made in accordance with the governing laws and regulations.

§ 258.12 *Special stipulations in permit.* If it is found that unusual conditions or the protection of the public interests require the insertion of special stipulations in the permit, the applicant will be advised thereof prior to its issuance.

§ 258.13 *Assignment of permit.* A permittee will not be allowed to assign a permit or any interest therein without the approval of the authorized officer. Proposed assignments must be supported by a statement signed by the assignee agreeing to be bound by the provisions of the permit, if the assignment is approved, and a showing that the assignee possesses the qualifications set out in § 258.3.

§ 258.14 *Removal of improvements.* The permittee, if all rental charges due the Government have been paid, may remove within such reasonable time as may be allowed by the authorized officer after the revocation or expiration of a permit, all structures which have been placed upon the premises by him or his assignor. If the permittee fails to make payment of the rental charges within 30 days from receipt of notice requiring payment, or upon revocation or expiration of the permit fails to remove the structures within the time required by the authorized officer, the structures will become the property of the United States.

§ 258.15 *Refund.* No refund of rentals properly paid will be made because of the revocation of the permit, at any time, or because of interference with or prevention of the exercise of the privileges conferred by the permit by mineral

prospectors, locators, licensees, permittees, lessees, or patentees, or by permittees under the act of June 8, 1906 (34 Stat. 225; 16 U. S. C. 431-433), or by grantees or permittees of rights-of-way under existing laws.

#### SPECIAL LAND-USE PERMITS FOR ADVERTISING DISPLAYS ON THE PUBLIC LANDS

§ 258.16 *Advertising displays on public lands without permits unauthorized.* The erection or maintenance on the public lands of advertising displays, without permission, is unauthorized by law. Any person erecting or maintaining one or more advertising displays on the public lands, except under authority of a permit issued by the authorized officer as hereinafter provided for, shall be deemed a trespasser.

§ 258.17 *Words "advertising displays" defined.* The words "advertising displays," as used in the regulations in this part shall include structures of any kind with or without lighting effects erected or maintained for outdoor advertising purposes, upon which any poster, bill, printing, painting, or other advertisement of any kind whatsoever, including statuary, may be placed for advertising purposes, but shall not include:

(a) Official notices or advertisements posted by or under the direction of any public or court officer, in the performance of his official duties.

(b) Danger, precautionary, and informative signs erected by officials of the Federal Government, or officials of the State or of any subdivision thereof, or of any nonprofit organization in the State, relating to the premises, or warning of the conditions of travel on a highway, or of forest fires, or road symbols, or speed limits.

(c) Highway markers or signs relating to any city, town, village, or historic place or shrine.

(d) Notice of any railroad, bridge, ferry, or other transportation or transmission company, necessary for the direction or safety of the public.

(e) Official signs, notices, or symbols for the information of aviators, as to location, direction, or landings, and conditions affecting safety in aviation.

(f) Signs containing 16 square feet or less bearing an announcement of any town, village or city, or nonprofit association, or chamber of commerce, advertising itself, or local industries, buildings, meetings, or attractions, but not advertising any particular individual or corporation engaged in business for a profit, providing not more than one sign bearing the same or similar announcement shall be placed on any one approach to the city or village involved.

(g) Signs erected by Red Cross authorities relating to Red Cross Emergency Stations.

(h) Signs advertising bona fide agricultural county, district, or State fairs.

§ 258.18 *Permittees.* Permits will be issued only to the owners, operators, or proprietors of business establishments or their agents advertising their own business and products sold on the premises, situated not more than 30 miles, measured by highway travel, from the advertising displays.

#### § 258.19 *Applications for permits.*

(a) Applications for permits must be executed in duplicate on Form 4-972b.<sup>2</sup> Each application must contain a sufficient recital of the facts relative to the advertising display, including its size, and lighting effect, if any, to enable its substantial production from the description. A sketch or photograph showing the display, and a photograph showing the location on which it is to be placed, should be furnished. The application should identify the highway or other medium of travel along which it is proposed to erect the display and should give the distance and direction of the site, measured by highway travel, to the nearest cities or towns. If the land on which it is desired to place the display has been surveyed, its description should be given in terms of the public land surveys. The application must be filed in the proper land office in the State or Territory, or for lands in a State in which there is no land office, shall be filed with the Bureau of Land Management, Washington 25, D. C., except the applications for lands in North or South Dakota shall be filed in the land office at Billings, Montana; applications for lands in Nebraska or Kansas shall be filed in the land office at Cheyenne, Wyoming; and for lands in Oklahoma in the land office at Santa Fe, New Mexico. Applications for O & C lands in Oregon must be filed in the appropriate district forestry office.

(b) Where public lands in more than one land district are involved, a separate application covering the lands in each district must be filed.

§ 258.20 *Fees and charges.* (a) A fee of \$5 must accompany each application for a permit to erect one or more advertising displays. The fee will be returned, if the application is rejected.

(b) The initial and annual charges for advertising displays shall be as follows: Not less than 20 cents per annum for each square foot of sign surface, not less than \$1 per annum for each display and not less than \$5 per annum for one or more displays authorized by the same permit. The amount of the charge, subject to such minima, will be fixed by the authorized officer. Due consideration will be given in fixing the amounts to all pertinent facts and circumstances, including the charges made for corresponding privileges on privately owned lands similarly situated.

(c) When conflicting applications are filed, due consideration will be given to the showing of each applicant and such action will be taken as is deemed to be warranted by the facts and circumstances.

(d) The annual charges must be paid each year in advance.

(e) Where charges are paid in advance and a permit is canceled before the expiration of the period for which it was issued, a proportionate refund of the charges will be made.

<sup>2</sup> Filed as part of the original document. Copies may be obtained on request from any land office or from the Bureau of Land Management, Washington, D. C.

§ 258.21 *Permits.* Special-use permits to erect and maintain advertising displays on the public lands may be issued, by or under authority of the authorized officer, and in his discretion, on Form 4-972c, for periods of not exceeding 5 years, in accordance with §§ 258.16 to 258.26. The permits will be revocable in the discretion of the authorized officer at any time.

§ 258.22 *Renewal of permit.* A permit issued in accordance with §§ 258.16 to 258.26 may be renewed, in the discretion of the authorized officer, upon the filing of an application for renewal not more than 6 months nor less than 60 days prior to its expiration.

§ 258.23 *Identification of authorized advertising displays.* Each advertising display erected or maintained under a permit issued pursuant to §§ 258.16 to 258.26, should, for convenient identification, have the serial number of such permit marked or painted thereon.

§ 258.24 *Unauthorized advertising displays.* (a) Persons who heretofore have erected advertising displays on the public lands must either obtain permits to continue such displays, if authorized by §§ 258.16 to 258.26, or must remove the displays, as promptly as possible.

(b) Where an unauthorized advertising display on the public lands is found, the United States will take appropriate steps to secure its removal, unless the owner obtains a permit. The owner, if known, will be given notice in writing of the requirements. Displays erected prior to October 13, 1941, must be removed within 6 months from and after the date of the approval of §§ 258.16 to 258.26, unless application for a permit is made within that period. Displays erected prior to October 13, 1941, for which applications for permits are made but for which permits are refused, and unauthorized displays thereafter erected must be removed within such reasonable time as may be fixed by the regional administrator. If the owner fails to remove the display within the time allowed, it may be removed by the United States and the owner will be held liable to the

United States for expenses incurred in removing it. If the owner is unknown, or cannot be found, the display may be removed by the United States, without notice. A registered letter addressed to the owner at his last known place of residence, if returned unclaimed, will be considered sufficient service of notice.

§ 258.25 *Restrictions on advertising displays.* (a) No advertising display shall be permitted which, in the opinion of the authorized officer, would mar the landscape, hide road intersections or crossings, or which, in his opinion is otherwise objectionable.

(b) No advertising display shall be affixed to, or painted on, any tree or rock situated on the public lands, or on any other natural object on such lands.

(c) No advertising display shall be erected more than 30 miles, measured by highway travel from the point where the service advertised is rendered, the merchandise is sold, or the business advertised is located.

(d) All advertising displays shall conform to the applicable State laws and local ordinances or regulations.

(e) No advertising display shall be erected within 1,000 feet of any other such display on public or privately owned lands, and not more than one advertising display, or sign, per mile, advertising one concern, establishment, or product, shall be permitted, in the absence of necessity, satisfactory to the authorized officer.

(f) Serial signs (any series of small signs intended to be read in sequence which individually do not give the complete advertisement) are prohibited.

(g) Signs shall not be permitted within 15 miles of entrances to national parks or national monuments, measured by highway travel, unless approved by the National Park Service.

§ 258.26 *Special land-use permit regulations.* All the provisions of the special land-use permit regulations (§§ 258.1 to 258.15), not inconsistent with §§ 258.16 to 258.25, inclusive, are hereby extended to and made applicable to special land-use permits for advertising displays.

Copies to	Each AA	25	BFS	10	
	Each SO	10	ESO	10	
	Each LO	25	Wash. Staff Officers		5 each
	Each DFC	5	Asso. Solicitor Parriott		30
	Each DGO	5	Miss Williams GS Room 3219		20

All Regional and Field Solicitors 1 ea.