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May 29, 2001

FOIA Coordinator
US Bureau of Land Management
C.F.S. Financial Center
Salt Lake City, UT 84145

FOIA Coordinator
United States Department of the Interior

Dear FOIA Coordinator:

Please consider this a request for documents in accordance with the provisions of 5 U.S.C. § 552, et seq., commonly known as the Freedom of Information Act.

We are aware that representatives of the state or local governments in Utah have been conducting discussions with the Bureau of Land Management and/or other federal entities concerning claims to rights-of-way over federal lands in Utah. We believe these discussions include, although they may not be limited to, the claims made by Utah and local governments under R.S. 2477, including the claims made in a notice sent by the state pursuant to the federal Quiet Title Act. We would appreciate it if you could provide us a copy of all documents and any other information pertaining to these discussions. Such documents would include, but not be limited to:

- (a) Records of meetings, including any notes or attendance lists;
- (b) Correspondence relating to discussions of right-of-way claims;
- (c) Internal memoranda or other discussions concerning such claims;
- (d) Notes of telephone conversations concerning such claims;
- (e) Email or other electronic communications concerning such claims;
- (f) Maps or other graphic representations prepared in connection with such discussions.

Please note that this request includes all information in the possession of the Department of the Interior or any of its employees or agents, including those at the national office in Washington, D.C. This request is not limited to information in the possession of the Utah offices of the Department of the Interior.



2002-C-112
LM, FW, SIO
Need by 2/15/02

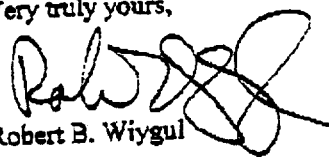
This request is made on behalf of the Grand Canyon Trust, Great Old Broads for Wilderness, Southern Utah Wilderness Alliance, The Wilderness Society, and Utah Wildlands Project. These organizations are non-profit membership organizations committed to preserving Utah's outstanding natural resources and dedicated to educating the public about public lands management issues in Utah. Disclosure of the requested information is not in any of these entities' commercial interest, but will be used to increase the public understanding of government activities on public lands. We therefore request a waiver of any fees associated with this request. If you determine not to grant a waiver, we will agree to pay up to \$100 in reproduction expenses under protest pending resolution of the waiver issue, in order not to delay your response.

In the event that you choose to assert that one of the exemptions to disclosure applies to the requested information, we remind you that you must supply a Vaughn index or other suitable explanation of the basis of the claim of exemption. In particular, to the extent that the deliberative process or attorney client privilege is claimed, the agency will need to document whether any withheld documents have been supplied to any party outside the agency. We also note that to promote the goal of disclosure, FOIA's exemptions "are to be narrowly construed." See Audubon Society v. U.S. Forest Service, 104 F.3d 1201, 1203 (10th Cir. 1997). The federal agency seeking to withhold information bears the burden of showing that a given document falls under an exemption. Anderson v. Department of Health and Human Services, 907 F.2d 936, 941 (10th Cir. 1990).

Pursuant to 5 U.S.C. § 552, I would appreciate a response within twenty days of your receipt of this request. I recognize that it takes time and resources to respond to requests like this one, and I appreciate your efforts. Ordinarily we do not object to reasonable extensions of time beyond the deadlines contained in FOIA, but because the discussions about which we inquire could lead to irreversible impacts on federal public lands in Utah, we cannot agree to any more than de minimis extensions in this case. I would therefore request that you let me know immediately if you do not intend to respond within the time frames set by FOIA, so we can determine whether additional action is necessary.

In the event that you have any questions concerning the type of materials I am requesting, please contact me as soon as possible at (228) 374-0700. Thank you very much for your assistance.

Very truly yours,


Robert B. Wiygul