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C002605 Incoming



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Utah State Office
P.O. Box 45155
Salt Lake City, UT 84145-0155
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JAN 11 2010
DIV. OF OIL, GAS & MINING

IN REPLY REFER TO:
3410
UTU-85867
(UT-923)

CERTIFIED MAIL – Return Receipt Requested

DECISION

Ark Land Company	:	Coal Exploration License
HC 35 Box 380	:	UTU-85867
Helper, Utah 84526	:	
	:	
	:	

Coal Exploration License Relinquishment Accepted

On November 14, 2008, a relinquishment of the above noted federal coal exploration license was filed in this office by Ark Land Company.

A determination has been made that the relinquishment of this coal exploration license may be accepted as of January 23, 2009. A request can be made to this office for the release of the \$10,000 surety bond covering this coal exploration license. No action on the bond can proceed until a request for release is received.

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 after 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 (pursuant to regulation 43 CFR 4.21)(58 FR 4939, January 19, 1993)(request) 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 in 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

If you have further questions call Bill Buge at (801) 539-4086.

/s/ Roger L. Bankert

Roger L. Bankert
Chief, Branch of Minerals
Utah State Office

cc: Manti LaSal National Forest
Price Field Office
Dana Dean, UDOGM, Box 145801, Salt Lake City, Utah 84114-