

May 8 2003



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Utah State Office
P.O. Box 45155
Salt Lake City, UT 84145-0155
www.ut.blm.gov

IN REPLY REFER TO:
3474
UTU-74804
(UT-924)

AUG 7 2003

*Decision
8/7/03*

CERTIFIED MAIL—Return Receipt Requested

DECISION

Hidden Splendor Resources, Inc.	:	Coal Lease
57 West 200 South, #400	:	UTU-74804
Salt Lake City, Utah 84101	:	

Bond Required To Be Brought Up To Minimum Amount

By letter of May 8, 2003, you were notified of the requirement to submit a check of \$1,000 to us in order to increase your coal lease bond on lease UTU-74804 (BLM Bond No. UT1214) to its minimum of \$5,000. As of this date, the required amount has not been received by this office.

Therefore, you must submit the required \$1,000 to this office within thirty days of receipt of this decision. Failure to comply will result in the rejection of the royalty rate reduction recertification, and initiation of appropriate judicial action to cancel lease UTU-74804 for violation of its terms and conditions.

During the compliance period, there is no right of appeal to the Interior Board of Land Appeals and an appeal filed within the compliance period is subject to dismissal as being premature. The 30-day appeal period commences upon expiration of the 30-day compliance period.

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) from 31 to 60 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

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BUREAU OF OIL, GAS & MINING

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
- (4) Whether the public interest favors granting a stay.

/s/ Robert Lopez

Robert Lopez
Chief, Branch of
Minerals Adjudication

Enclosures

1. Form 1842-1
2. Letter of May 8, 2003 (2 pp)

cc: Pruitt, Gushee & Bachtell, Attn: Oliver W. Gushee Jr., Ste. 1800 Beneficial Life Tower,
Salt Lake City, Utah 84111-1495 (w/encl.)
Field Solicitor (Attn: John Steiger)
MMS, MRM, Solid Minerals Staff, MS 390B2, Box 25165, Denver, CO 80225-0165
Price Coal Office (Attn: Steve Falk)
Mr. Lowell Braxton, UDOGM, Box 145801, Salt Lake City, UT 84114-5801
SITLA (Attn: John Blake)
Accounts