

C007/020 Incoming



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Utah State Office

440 West 200 South, Suite 500

Salt Lake City, UT 84101

<http://www.blm.gov/ut/st/en.html>



IN REPLY REFER TO:
3474 / UT (9223)
UTU-74804

APR 30 2014

RECEIVED

MAY 08 2014

DIV. OF OIL, GAS & MINING

CERTIFIED MAIL – 91 7199 9991 7033 9338 0932
Return Receipt Requested

Hidden Splendor Resources, Inc.
57 West 200 South
Suite 400
Salt Lake City, Utah 84101

Re: Notice of Non-Compliance (NON), Federal Lease UTU-74804

Dear Mr. Walker:

The Bureau of Land Management (BLM) is issuing this NON to Hidden Splendor Resources, Inc. for failure to provide a coal lease bond in the amount of \$400,000.

Background: On January 30, 2014, the BLM issued a decision to Hidden Splendor Resources requiring a coal lease bond in the amount of \$400,000 per 43 CFR 3474.2. An extension to this decision was granted until April 25, 2014, based on a letter that BLM received from the lessee on March 5, 2014.

Notice of Non-Compliance: The BLM decision dated January 30, 2014, required a response within 30 days of receipt by the lessee. The 30-day response period was extended until April 25, 2014. To date no response has been received from the lessee.

Relief from Notice of Non-Compliance: Hidden Splendor Resources has 30 days from the date of receipt in which to submit the required bond. If no bond is received within the 30-day time period, the BLM will take appropriate action under the regulations and lease (to include pursuing the cancellation of the lease).

This NON 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 from 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
- (4) Whether the public interest favors granting the stay.

If you have questions, please contact Stan Perkes of this office at (801) 539-4036.



Kent Hoffman
Deputy State Director,
Division of Lands and Minerals

Enclosure:

1. Form 1842.1

cc: BLM Price Field Office (UTG02), Attn: Steve Rigby
UDOGM, Attn: John Baza, Director