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# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Utah State Office  
P.O. Box 45155  
Salt Lake City, UT 84145-0155  
<http://www.blm.gov>



MAR 02 2007

IN REPLY REFER TO:  
3452  
UTU-73975  
(UT-923)

CERTIFIED MAIL – Return Receipt Requested

## DECISION

Plateau Mining Corporation	:	Coal Lease
391 Inverness Drive South, Suite 333	:	UTU-73975
Englewood, Colorado 80112-9804	:	
	:	

*Inaug*  
*3/07/0038 gk*

### Coal Lease Relinquishment Accepted

Request for full relinquishment of Federal coal lease UTU-73975 was filed in this office June 14, 2005, by Plateau Mining Corporation, the lessee. Plateau has ceased all mining operations on the  Willow Creek Mine, and is completing reclamation. The lease currently contains 2,290.40 acres. After reviewing the administrative record for this lease, BLM will accept the full relinquishment requested.

In accordance with 43 CFR 3452.1-3, the lease is hereby accepted as relinquished as of June 14, 2005. BLM has determined that this relinquishment is in the public interest, that the accrued rentals and royalties have been paid, and that all obligations of the lessee under the regulations and the terms of the lease have been met. A bond in the amount of \$30,000.00 is being held to ensure surface reclamation of the gob vent borehole sites on this lease has met BLM standards. The relinquished lands are also subject to any reclamation actions deemed necessary under the requirements of the SMCRA permit. Application for refund of excess rental paid after the acceptance date should be made directly to the Minerals Management Service, Solid Minerals Staff, MS390B2, Box 25165, Denver, CO 80225. The lessee is obligated to resolve any discrepancies in payments to MMS that may be identified subsequent to this decision.

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 from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

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DIV. OF OIL, GAS & MINING

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 granted, and
- (4) Whether the public interest favors granting the stay.

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

**Kent Hoffman**

Kent Hoffman  
Deputy State Director  
Lands and Minerals

Enclosure

1. Form 1842-1

cc: Resource Development Coordinating Committee, ATTN: Mineral Leasing Taskforce,  
116 State Capital Building, Salt Lake City, Utah 84114  
MMS, MRM, Solid Minerals Staff, Attn: Patrick Mulcahy, MS390B2, Box 25165, Denver,  
CO 80225-0165  
Ms. Mary Ann Wright, Acting Director, UDOGM, Box 145801, Salt Lake City, Utah 84114-  
5801  
Ms. Alice B. Carlton, Forest Supervisor, Manti La Sal National Forest, 599 West Price River  
Drive, Price, Utah 84501  
Price Field Office (Attn: Steve Rigby)