



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>

IN REPLY PLEASE REFER TO:
3452
UTU-49332
UTU-64375
(UT-923)

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SEP 30 2009
DIV. OF OIL, GAS & MINING

SEP 24 2009

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DECISION

Interwest Mining Co. , Managing Agent	:	Coal Leases
Subsidiary of PacifiCorp	:	UTU-49332 (partial)
Scott M. Childs	:	UTU-64375 (partial)
Manager, Lands and Regulatory Affairs	:	
1407 W. North Temple, Suite 310	:	
Salt Lake City, Utah 84116	:	

Partial Coal Lease Relinquishments Accepted

Request for partial relinquishments of Federal coal leases UTU-49332 and UTU-64375 was filed in this office January 9, 2009, by Interwest Mining Co., Managing Agent, a Subsidiary of PacifiCorp the lessee of record. The partial relinquishments are (detail attached as pages 4 and 5 from "Exhibit A" for each lease in the submittals):

Lease UTU-49332	
Original acreage	641.47
Relinquishment acres	261.47
Retained acres	380.00

Lease UTU-64375	
Original acreage	2764.01
Relinquishment acres	2504.01
Retained acres	260.00

After reviewing the administrative record for this lease, BLM accepts the partial relinquishments requested for UTU-49332 and UTU-64375.

In accordance with 43 CFR 3452.1-3, the leases are hereby accepted as partially relinquished as of January 9, 2009. 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. 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.

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

cc: MMS, MRM, Solid Minerals Staff, Attn: LeeAnn Martin, MS390B2, Box 25165, Denver,
CO 80225-0165
Dana Dean, Associate Director, Mining, UDOGM, Box 145801, Salt Lake City,
Utah 84114-5801

Pamela E. Brown, Forest Supervisor, Manti La Sal National Forest, 599 West Price River
Drive, Price, Utah 84501
BLM Price Field Office (Attn: Steve Rigby)

Checklist and Documentation of Findings
Federal Coal Lease Relinquishment
Under 43 CFR 3452
UTU-49332

Exhibit A

Partial Relinquishment

The legal description for the area of partial relinquishment of UTU-49332 is described below:

T. 17 S., R. 6 E., SLM, Utah

Section 35: Lots 1 and 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$

Total acres surrendered: 261.47

Lease Acreage Retained

The legal description for the area to be retained in UTU-49332 is described below:

T. 17 S., R. 6 E., SLM, Utah

Section 25: S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$;

Section 26: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$

Total acres retained: 380.00

Checklist and Documentation of Findings
Federal Coal Lease Relinquishment
Under 43 CFR 3452
UTU-64375

Exhibit A

Partial Relinquishment

The legal description for the area of partial relinquishment of UTU-64375 is described below:

T. 17 S., R. 6 E., SLM, Utah

Section 34: All;

Section 35: Lots 3 and 4, $W\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$, $W\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}$

T. 18 S., R. 6 E., SLM, Utah

Section 1: Lots 1 – 8, $S\frac{1}{2}N\frac{1}{2}$, $E\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$,
 $N\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$

Section 2: Lots 1 – 8, $S\frac{1}{2}N\frac{1}{2}$, $N\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$,
 $NW\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$, $N\frac{1}{2}S\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$

Section 3: Lots 1, 2, 3, 7, 8, $E\frac{1}{2}$ of Lot 6, $NE\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$,
 $NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$

T. 18 S., R. 7 E., SLM, Utah

Section 6: Lots 4 – 7, $W\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}E\frac{1}{2}SW\frac{1}{4}$

Total acres surrendered: 2,504.01

Lease Acreage Retained

The legal description for the area to be retained in UTU-64375 is described below:

T. 17 S., R. 6 E., SLM, Utah

Section 26: $S\frac{1}{2}SW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$,

Section 27: $S\frac{1}{2}S\frac{1}{2}$

Total acres retained: 260.00