



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Utah State Office
440 West 200 South, Suite 500
Salt Lake City, UT 84101-1345

September 15, 2020

In Reply Refer To:
3451 (UT-923)

CERTIFIED MAIL – RETURN RECEIPT
9489 0090 0027 6180 0924 73

DECISION

Fossil Rock Resources LLC : Coal Lease
1401 North 1st, Suite A : UTU-64375
Grand Junction, Colorado 81501 :

Readjustment of Coal Lease UTU-64375 Effective October 1, 2020

The regulations under 43 CFR 3451.1(a)(1) and (2) state:

1. All leases issued prior to August 4, 1976, shall be subject to readjustment at the end of the current 20-year period and at the end of each 10-year period thereafter.
2. Any lease subject to readjustment, which contains a royalty rate less than the minimum royalty prescribed in 43 CFR 3473.3-2 shall be readjusted to conform to the minimum prescribed in that section.

Coal lease UTU-64375 was issued effective October 1, 1990, and Fossil Rock Resources LLC was notified that the terms and conditions of the readjustment would be provided in accordance with the regulations under 43 CFR 3451 no later than October 1, 2020.

As provided in Part I of the lease and in accordance with the regulations under 43 CFR 3451.2, enclosed are the terms and conditions of coal lease UTU-64375 effective October 1, 2020.

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 not granted, and
4. Whether the public interest favors granting the stay.

If there are any questions regarding this decision, please contact Judy Nordstrom at (801) 539-4108 or jnordstr@blm.gov.

/s/ Greg Sheehan

Greg Sheehan
State Director

Enclosures

1. Form 1842-1 (1 p)
2. Coal Lease Readjustment (9 pp)

cc:

Price Field Office

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Reading File

Lease Files

JNordstrom:9/9/2020