0033

ENERGY WEST Mining Co.
PO Box 310
Huntington, Utah 84528

October 4, 2004

RECEIVED
OCT 0 6 2004
DIV. OF OIL, GAS & MINING

c/015/0017
c/015/0018
c/015/0019

Utah Coal Program
Utah Division of Oil, Gas, and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Re: Amendment to Supplemental Volume 1, Phase I, II, and III Lease Relinquishment Information for the Cottonwood/Wilberg Mine, C/015/019, Deer Creek Mine, C/015/018, and Des Bee Dove Mine C/015/017, Emery County, Utah.

PacifiCorp, by and through its wholly owned subsidiary, Energy West Mining Company (Energy West) hereby submits a new tab entitled "BLM Approvals" for insertion into Supplemental Volume 1, Phase I, II, III Lease Relinquishment Information for the Cottonwood/Wilberg, Deer Creek, and Des Bee Dove mines. Supplemental Volume 1 was approved by the Division on November 22, 2002.

The Bureau of Land Management (BLM) approved partial relinquishment related to Phases I and II on three separate occasions: 1) December 14, 1995 (2,261.23 acres) , 2) February 20, 2004 (2,840 acres) and June 24, 2004 (150 acres) for a total of 5,251.23 acres which concludes the BLM process on Phases I and II for the time being. Lease relinquishment related to the Phase III submittal is currently being evaluated by the BLM.

To comply with the Division's amendment process, PacifiCorp has provided seven (7) clean copies as required along with the proper C1/C2 forms of the following information:

- Supplemental Volume 1 Lease Relinquisment
  Revisions: Insert new tab entitled "BLM Approvals" into binder as the first tab.

Please return one copy stamped for incorporation into our permit.

If you have any questions or concerns regarding this submittal please contact me at 435-687-4720 or Dennis Oakley at 435-687-4825.

Sincerely,

Charles A. Semborski
Manager Geology/Permitting

Cc: Doug Johnson
Scott Child, IMC
file

J:\Environmental\Lease Relinquishment\covlet_supvol_10042004.wpd

Huntington Office:
(435) 687-9821
Fax (435) 687-2695
Purchasing Fax (435) 687-9092

Deer Creek Mine:
(435) 687-2317
Fax (435) 687-2285

Trail Mountain Mine:
(435) 748-2140
Fax (435) 748-5125

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: PacifiCorp

Mine: Cottonwood/Wilberg, Deer Creek, Des Bee Dove Mines **Permit Number:** C/015/019, C/015/018, C/015/017

Title: Amendment to Supplemental Volume 1, Phase I, II, and III Lease Relinquishment Information for the Cottonwood/Wilberg Mine, C/015/019, Deer Creek Mine, C/015/018, and Des Bee Dove Mine, C/015/017, Emery County, Utah.

Description, Include reason for application and timing required to implement:
Insert BLM approvals for partial lease relinquishments

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

☐ Yes ☒ No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ ☐ increase ☐ decrease.
☐ Yes ☒ No 2. Is the application submitted as a result of a Division Order? DO# _____
☐ Yes ☒ No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
☐ Yes ☒ No 4. Does the application include operations in hydrologic basins other than as currently approved?
☐ Yes ☒ No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
☐ Yes ☒ No 6. Does the application require or include public notice publication?
☒ Yes ☐ No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
☐ Yes ☒ No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
☐ Yes ☒ No 9. Is the application submitted as a result of a Violation? NOV # _____
☐ Yes ☒ No 10. Is the application submitted as a result of other laws or regulations or policies?
Explain: _____
☐ Yes ☒ No 11. Does the application affect the surface landowner or change the post mining land use?
☐ Yes ☒ No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
☐ Yes ☒ No 13. Does the application require or include collection and reporting of any baseline information?
☐ Yes ☒ No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
☐ Yes ☒ No 15. Does the application require or include soil removal, storage or placement?
☐ Yes ☒ No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
☐ Yes ☒ No 17. Does the application require or include construction, modification, or removal of surface facilities?
☐ Yes ☒ No 18. Does the application require or include water monitoring, sediment or drainage control measures?
☐ Yes ☒ No 19. Does the application require or include certified designs, maps or calculation?
☐ Yes ☒ No 20. Does the application require or include subsidence control or monitoring?
☐ Yes ☒ No 21. Have reclamation costs for bonding been provided?
☐ Yes ☒ No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
☐ Yes ☒ No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Charles A. Semborski — Charles A. Semborski — Geology/Permitting Supervisor 10-04-2004
Print Name — Sign Name, Position, Date

Subscribed and sworn to before me this 4th day of October, 2004

Lori Ann Anderson
Notary Public

My commission Expires: 12/22, 2005

Attest: State of Utah } } ss:
County of Emery

LORI ANN ANDERSON
NOTARY PUBLIC • STATE of UTAH
31 NORTH MAIN
HUNTINGTON, UT 84528
COMM. EXP. 12-22-2005

For Office Use Only:	Assigned Tracking Number:	Received by Oil, Gas & Mining

Form DOGM- C1 (Revised March 12, 2002)

APPLICATION FOR COAL PERMIT PROCESSING
Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: PacifiCorp

Mine: Cottonwood/Wilberg, Deer Creek, Des Bee Dove Mines **Permit Number:** C/015/019, C/015/018, C/015/017

Title: Amendment to Supplemental Volume 1, Phase I, II, and III Lease Relinquishment Information for the Cottonwood/Wilberg Mine, C/015/019, Deer Creek Mine, C/015/018, and Des Bee Dove Mine, C/015/017, Emery County, Utah.

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

			DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED
☒ Add	☐ Replace	☐ Remove	Add BLM Appoval Tab.
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Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.	Received by Oil, Gas & Mining

Form DOGM - C2 (Revised March 12, 2002)

PACIFICORP

ENERGY WEST Mining Co.

EAST MOUNTAIN FEDERAL COAL LEASE RELINQUISHMENT BLM APPROVALS

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Utah State Office
324 South State, Suite 301
Salt Lake City, Utah 84111-2303

DEC 1995
Received
Interwest Mining Company

IN REPLY REFER TO

3452
SL-064607-064621
SL-066116
U-02664
U-024319
U-47978
U-47979
(UT-923)

DEC 14 1995

DECISION

PacifiCorp	:	Coal Leases
c/o Interwest Mining Company	:	SL-064607-064621,
One Utah Center, Suite 2000	:	SL-066116, U-02664,
201 South Main Street	:	U-024319, U-47978,
Salt Lake City, Utah 84140-0020	:	U-47979

Coal Lease Partial Relinquishments Accepted, In Part

Partial relinquishments for the above-noted leases were filed in this office April 24, 1992, by PacifiCorp.

Pursuant to a meeting between PacifiCorp and the Bureau of Land Management on June 12, 1995, the following lands are hereby accepted as relinquished as of April 24, 1992. The relinquished lands are subject to the continued obligation of the lessee to make payments of all accrued rentals and royalties and to complete reclamation of the leased lands.

The relinquished and retained lands are described as follows.

Coal lease SL-064607-064621:

Relinquished Lands
T. 17 S., R. 7 E., SLM, Utah
Sec. 2, lots 2, 5-7, 10-11, E2SW.

293.92 acres Emery County, Utah

Retained Lands
T. 17 S., R. 7 E., SLM, Utah
Sec. 2, lot 12, W2SW;
Sec. 3, SESE;
Sec. 10, NE.
320.00 acres Emery County, Utah

Coal lease SL-066116:

Relinquished Lands
T. 17 S., R. 7 E., SLM, Utah
Sec. 11, NWNE;
Sec. 12, NWSW;
Sec. 14, N2NE.
160.00 acres Emery County, Utah

Retained Lands
T. 17 S., R. 7 E., SLM, Utah
Sec. 11, E2NE, SWNE, SE;
Sec. 12, W2NW.

360.00 acres Emery County, Utah

Coal lease U-02664:

Relinquished Lands
T. 17 S., R. 7 E., SLM, Utah
Sec. 13, SESW;
Sec. 14, SWNE;
Sec. 24, E2W2.

240.00 acres Emery County, Utah

Retained Lands
T. 17 S., R. 7 E., SLM, Utah
Sec. 14, W2SE, SESE;
Sec. 23, SW, NENE;
Sec. 24, W2W2;
Sec. 26, NW, NESW.
680.00 acres Emery County, Utah

Coal lease U-024319:

Relinquished Lands
T. 16 S., R. 7 E., SLM, Utah
Sec. 34, E2E2NW.

40.00 acres Emery County, Utah

Retained Lands
T. 16 S., R. 7 E., SLM, Utah
Sec. 27, SW;
Sec. 28, SE;
Sec. 33, E2, E2W2, SWSW;
Sec. 34, W2NW, W2E2NW, NWSW.
1,000.00 acres Emery County, Utah

Coal lease U-47978:

Relinquished Lands
T. 17 S., R. 7 E., SLM, Utah
Sec. 30, lot 7,SENE,NESE,S2SE;
Sec. 31, lot 1, E2;
Sec. 32, S2S2;
Sec. 33, S2SW, W2SE;
Sec. 34, NWNW, S2NW.
T. 18 S., R. 7 E., SLM, Utah
Sec. 4, lots 2-4;
Sec. 5, lots 1-4, S2NW.
1,347.31 acres Emery County, Utah

Retained Lands
T. 17 S., R. 7 E., SLM, Utah
Sec. 27, S2NW, N2SW;
Sec. 28, S2N2, S2;
Sec. 29, S2N2, S2;
Sec. 32, N2, N2S2;
Sec. 33, N2, N2SW.

2,000.00 acres Emery County, Utah

Coal lease U-47979:

Relinquished Lands
T. 16 S., R. 7 E., SLM, Utah
Sec. 34, S2NE, E2NESW, N2SE.

180.00 acres Emery County, Utah

Retained Lands
T. 16 S., R. 7 E., SLM, Utah
Sec. 34, W2NESW, S2S2.
T. 17 S., R. 7 E., SLM, Utah
Sec. 3, lots 1-8,10-12, SW, SWSE;
Sec. 4, lots 1,8,9, E2SE.
883.38 acres Emery County, Utah

The total number of acres accepted for relinquishment comes to 2,261.23.

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 (request) (pursuant to regulation 43 CFR 4.21) (58 FR 4939, January 19, 1993) 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.

for G. William Lamb
State Director

Enclosure
Form 1842-1 (1p)

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

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:
3452
SL-070645-U-02292
(UT-923)

FEB 2 0 2004

MAR 2004
Received
Interwest Mining Company

DECISION

Lessee:		
Zions First National Bank, Trustee	:	Coal Lease
Trust Department	:	SL-070645-U-02292
Malcom N. McKinnon Trust	:	
P.O. Box 30880	:	
Salt Lake City, Utah 84130-0880	:	
	:	
Sublessee:	:	
PacifiCorp	:	
c/o Interwest Mining Company	:	
One Utah Center, Suite 2000	:	
201 South Main Street	:	
Salt Lake City, Utah 84140-0020	:	

Partial Coal Lease Relinquishment Accepted

A request for partial relinquishment of Federal coal lease SL-070645-U-02292 was filed in this office April 24, 1992, by the lessee in conjunction with PacifiCorp, the sublessee. The original lease contained 2,560.00 acres. No prior relinquishments have been accepted for this lease. This request was for 250.00 acres. After reviewing the administrative record for this lease, BLM will accept the relinquishment requested.

In accordance with 43 CFR 3452.1-3, the following lands are hereby accepted as relinquished as of April 24, 1992. 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 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 relinquished and retained lands are described as follows:

Coal Lease SL-070645-U-02292:

Relinquished Lands		Retained Lands	
T. 17 S., R. 7 E., SLM, UT Sec. 10, NENW, N/2SENW, NESWNW, E2NWNW; Sec. 15, NE.		T. 17 S., R. 7 E., SLM, UT Sec. 4, S2SW, SWSE; Sec. 5, SESW, S2SE; Sec. 8, E2, E2W2; Sec. 9, all; Sec. 10, W2W2NW, SESWNE, S2SENW, SW; Sec. 15, NW; Sec. 16, N2; Sec. 17, NE, E2NW.	
250.00 acres	Emery County	2,310.00 acres	Emery County

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.

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(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.

Kent Hoffman
Deputy State Director
Lands and Minerals

Enclosure

1. Form 1842-1

cc: Resource Development Coordinating Committee
Manti-LaSal National Forest
MMS, Solid Minerals
Price Field Office (Attn: Steve Falk)
Mr. Lowell Braxton, Director, UDOGM

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

TAKE PRIDE IN AMERICA

FEB 20 2004

IN REPLY REFER TO:
3452
SL-064607-064621
(UT-923)

MAR 2004
Received
Interwest Mining Company

DECISION

PacifiCorp c/o Interwest Mining Company One Utah Center, Suite 2000 201 South Main Street Salt Lake City, Utah 84140-0020	: : : : :	Coal Lease SL-064607-064621

Partial Coal Lease Relinquishment Not Accepted

A request for partial relinquishment of Federal coal lease SL-064607-064621 was filed in this office April 24, 1992, by PacifiCorp, the lessee. The original lease contained 613.92 acres. The request is for 443.92 acres. On December 14, 1995, BLM accepted the relinquishment of 293.92 acres of undisturbed lands from the 443.92 acres requested. After reviewing the administrative record for this lease, BLM will not accept relinquishment of the 250 acres remaining.

In accordance with 43 CFR 3452.1-3, the following lands were not accepted as relinquished as of April 24, 1992. Issues regarding potential recoverable reserves exist. Therefore, BLM has determined that this relinquishment is not in the public interest at this time.

The retained lands are described as follows:

Coal Lease SL-064607-064621:

Relinquished Lands		Retained Lands	
T. 17 S., R. 7 E., SLM, UT N/A		T. 17 S., R. 7 E., SLM, UT Sec. 2, SWNW, W2SW; Sec. 3, SESE; Sec. 10, NE.	
0.00 acres	Emery County	320.00 acres	Emery County

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.

Kent Hoffman
Deputy State Director
Lands and Minerals

Enclosure
1. Form 1842-1

cc: Resource Development Coordinating Committee
Manti-LaSal National Forest
MMS, Solid Minerals
Price Field Office (Attn: Steve Falk)
Mr. Lowell Braxton, Director, UDOGM

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

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:
3452
U-02664
(UT-923)

FEB 20 2004

DECISION

PacifiCorp	:	Coal Lease
c/o Interwest Mining Company	:	U-02664
One Utah Center, Suite 2000	:	
201 South Main Street	:	
Salt Lake City, Utah 84140-0020	:	

MAR 2004
Received
Interwest Mining Company

Partial Coal Lease Relinquishment Accepted

A request for partial relinquishment of Federal coal lease U-02664 was filed in this office April 24, 1992, by PacifiCorp, the lessee. The original lease contained 920.00 acres. The request is for 490.00 acres. On December 14, 1995, BLM accepted the relinquishment of 240.00 acres of undisturbed lands from the 490.00 acres requested. After reviewing the administrative record for this lease, BLM will accept relinquishment of the 250.00 acres remaining.

In accordance with 43 CFR 3452.1-3, the following lands are hereby accepted as relinquished as of April 24, 1992. 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 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 relinquished and retained lands are described as follows:

Coal Lease U-02664:

Relinquished Lands
T. 17 S., R. 7 E., SLM, UT
Sec. 23, NESW, W2SESW, E2E2SWSW;
Sec. 24, E2NWNW, SWNW, W2SW;

Retained Lands
T. 17 S., R. 7 E., SLM, UT
Sec. 14, NWSE, S2NE;
Sec. 23, NENE, NWSW, W2E2SWSW, W2SWSW, E2SESW;
Sec. 24, W2NWNW;

Sec. 26, NESW.		Sec. 26, NW.	
140.00 acres	Emery County	430.00 acres	Emery County

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.

Kent Hoffman
Deputy State Director
Lands and Minerals

Enclosure
1. Form 1842-1

cc: Resource Development Coordinating Committee
Manti-LaSal National Forest
MMS, Solid Minerals
Price Field Office (Attn: Steve Falk)
Mr. Lowell Braxton, Director, UDOGM

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

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:
3452
U-066116
(UT-923)

FEB 17 2004

MAR 2004
Received
Interwest Mining Company

DECISION

PacifiCorp	:	Coal Lease
c/o Interwest Mining Company	:	U-066116
One Utah Center, Suite 2000	:	
201 South Man Street	:	
Salt Lake City, Utah 84140-0020	:	

Coal Lease Relinquishment Accepted

Requests for relinquishment of Federal coal lease U-066116 were filed in this office April 24, 1992, and May 15, 1995, by PacifiCorp, the lessee. The original lease contained 520.00 acres. The requests totaled 520.00 acres. On December 14, 1995, BLM accepted the relinquishment of 160.00 acres of undisturbed lands from the 520.00 acres requested. After reviewing the administrative record for this lease, BLM will accept relinquishment of the 360.00 acres remaining.

In accordance with 43 CFR 3452.1-3, the following lands are hereby accepted as relinquished as of April 24, 1992, and May 15, 1995. 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 subject to any reclamation actions deemed necessary under the requirements of the SMCRA permit. Application for refund of excess rental paid after the acceptance dates should be made directly to the Minerals Management Service, Solid Minerals Staff, MS390B2, Box 25165, Denver, CO 80225.

The relinquished and retained lands are described as follows:

Coal Lease U-066116:

Relinquished Lands (April 24, 1992)
T. 17 S., R. 7 E., SLM, UT
Sec. 11, E2NE, SWNE, E2SE,
S2SWSE, NENWSE, NESWSE;
Sec. 12, W2NW.

Relinquished Lands (May 15, 1995)		Retained Lands	
T. 17 S., R. 7 E., SLM, UT Sec. 11, S2NWSE, NWNWSE, NWSWSE.		T. 17 S., R. 7 E., SLM, UT N/A	
360.00 acres	Emery County	0.00 acres	Emery County

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.

Kent Hoffman
Deputy State Director
Lands and Minerals

Enclosure
1. Form 1842-1

cc: Resource Development Coordinating Committee
Manti-LaSal National Forest
MMS, Solid Minerals
Price Field Office (Attn: Steve Falk)
Mr. Lowell Braxton, Director, UDOGM

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

TAKE PRIDE IN AMERICA

FEB 20 2004

IN REPLY REFER TO:
3452
U-47978
(UT-923)

MAR 2004
Received
Interwest Mining Company

DECISION

PacifiCorp	:	Coal Lease
c/o Interwest Mining Company	:	U-47978
One Utah Center, Suite 2000	:	
201 South Man Street	:	
Salt Lake City, Utah 84140-0020	:	

Partial Coal Lease Relinquishment Accepted

Requests for partial relinquishment of Federal coal lease U-47978 were filed in this office April 24, 1992 and October 16, 1992, by PacifiCorp, the lessee. The original lease contained 3,347.31 acres. The requests totaled 3,257.31 acres. On December 14, 1995, BLM accepted the relinquishment of 1,347.31 acres of undisturbed lands from the 3,257.31 acre requests. After reviewing the administrative record for this lease, BLM will accept relinquishment of 1,820.00 acres of the 1,910.00 acres remaining.

In accordance with 43 CFR 3452.1-3, the following lands are hereby accepted as relinquished as of April 24, 1992 and October 16, 1992. 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 subject to any reclamation actions deemed necessary under the requirements of the SMCRA permit. Application for refund of excess rental paid after the acceptance dates should be made directly to the Minerals Management Service, Solid Minerals Staff, MS390B2, Box 25165, Denver, CO 80225.

The relinquished and retained lands are described as follows:

Coal Lease U-47978:

Relinquished Lands (April 24, 1992)
T. 17 S., R. 7 E., SLM, UT
Sec. 27, N2SW;
Sec. 28, NESE, E2NWSE, N2SESE;
Sec. 29, SWNE, W2SENE, S2NW,
SW, W2SE, W2E2SE;
Sec. 33, S2S2NE, SESENW, E2NESW.

Relinquished Lands (October 16, 1992)
T. 17 S., R. 7 E., SLM, UT
Sec. 28, SWNW, W2SENW,
SW, W2NWSE,
SWSE, S2SESE;
Sec. 29, E2SENE, E2E2SE;
Sec. 32, N2, N2S2;
Sec. 33, N2NE, N2S2NE, N2NW,
N2SENW, SWNW, SWSENW,
NWSW, W2NESW.

1,820.00 acres Emery County

Retained Lands
T. 17 S., R. 7 E., SLM, UT
Sec. 27, S2NW;
Sec. 28, S2NE, E2SENW.

180.00 acres Emery County

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

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(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.

Kent Hoffman
Deputy State Director
Lands and Minerals

Enclosure

1. Form 1842-1

cc: Resource Development Coordinating Committee
Manti-LaSal National Forest
MMS, Solid Minerals
Price Field Office (Attn: Steve Falk)
Mr. Lowell Braxton, Director, UDOGM

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

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:
3452
U-1358
(UT-923)

FEB 2 0 2004

MAR 2004
Received
Interwest Mining Company

DECISION

PacifiCorp c/o Interwest Mining Company One Utah Center, Suite 2000 201 South Main Street Salt Lake City, Utah 84140-0020	: : : : :	Coal Lease U-1358

Partial Coal Lease Relinquishment Accepted

Requests for partial relinquishment of Federal coal lease U-1358 were filed in this office April 24, 1992, and June 12, 1995, by PacifiCorp, the lessee. The original lease contained 320.00 acres. No prior relinquishments have been accepted for this lease. The requests totaled 160.00 acres. After reviewing the administrative record for this lease, BLM will accept the relinquishment requested.

In accordance with 43 CFR 3452.1-3, the following lands are hereby accepted as relinquished as of April 24, 1992, and June 12, 1995. 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 subject to any reclamation actions deemed necessary under the requirements of the SMCRA permit. Application for refund of excess rental paid after the acceptance dates should be made directly to the Minerals Management Service, Solid Minerals Staff, MS390B2, Box 25165, Denver, CO 80225.

The relinquished and retained lands are described as follows:

Coal Lease U-1358:

Relinquished Lands (April 24, 1992)
T. 17 S., R. 7 E., SLM, UT
Sec. 22, SESE, N2NESE, S2S2NESE;
Sec. 27, E2NE;

Retained Lands
T. 17 S., R. 7 E., SLM, UT
Sec. 22, S2NW, W2SW.

Relinquished Lands (June 12, 1995)
T. 17 S., R. 7 E., SLM, UT
Sec. 22, N2S2NESE.

160.00 acres	Emery County	160.00 acres	Emery County

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.

Kent Hoffman
Deputy State Director
Lands and Minerals

Enclosure
1. Form 1842-1

cc: Resource Development Coordinating Committee
Manti-LaSal National Forest
MMS, Solid Minerals
Price Field Office (Attn: Steve Falk)
Mr. Lowell Braxton, Director, UDOGM

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 REFER TO:
3453
SL-066116
SL-070645-U-02292
U-02664
(UT-924)

APR 02 2004

APR 2004 Received Interwest Mining Company

CERTIFIED MAIL – Return Receipt Requested

DECISION

PacifiCorp c/o Interwest Mining Company One Utah Center, Suite 2000 201 South Main Street Salt Lake City, Utah 84140-0020	: : : : : :	Coal Leases SL-066116 SL-070645-U-02292 U-02664

Coal Lease Decisions Amended

On February 17, 2004 and February 20, 2004 three decisions were issued by this office concerning the relinquishment and partial relinquishment of three federal coal leases. It has come to the attention of this office that errors were made in the legal descriptions and a coal lease number contained in those decisions and this decision will correct those errors.

The decision dated February 17, 2004 accepted a relinquishment mistakenly for coal lease U-066116, the correct serial number for that relinquishment is SL-066116.

Decisions dated February 20, 2004 approved partial relinquishments of coal leases Sl-070645-U-02292 and U-02664. These decisions had errors in the legal descriptions of the lands retained in these leases. The correct legal descriptions of the lands remaining in these two leases are as follows:

SL-070645-U-02292

T. 17 S., R. 7 E., SLM, Utah
Sec. 4, S2SW, SWSE;
Sec. 5, SESW, S2SE;
Sec. 8, E2, E2W2;
Sec. 9, all;
Sec. 10, W2W2NW, SESWNW, S2SENW, SW;
Sec. 15, NW;
Sec. 16, N2;
Sec. 17, NE, E2NW.

Containing 2,310.00 acres

U-02664

T. 17 S., R. 7 E., SLM, Utah
Sec. 14, NWSE, S2SE:
Sec. 23, NENE, NWSW, W2E2SWSW, W2SWSW, E2SESW;
Sec. 24, W2NWNW;
Sec. 26, NW.

Containing 430.00 acres

These corrections have been noted on our records. If you have further questions call Bill Buge at (801) 539-4086.

Kent Hoffman
Deputy State Director
Lands and Minerals

cc: Resource Development Coordinating Committee
Manti LaSal National Forest
MMS, Solid Minerals
Price Field Office (Attn: Steve Falk)
Mr. Lowell Braxton, Director, UDOGM

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

TAKE PRIDE IN AMERICA

JUN 24 2004

IN REPLY REFER TO:
3452
SL-064607-064621
(UT-923)

JUN 2004 Received Interwest Mining Company

DECISION

PacifiCorp c/o Interwest Mining Company One Utah Center, Suite 2000 201 South Main Street Salt Lake City, Utah 84140-0020	: : : :	Coal Lease SL-064607-064621

Partial Coal Lease Relinquishment Accepted

A request for partial relinquishment of Federal coal lease SL-064607-064621 was filed in this office April 24, 1992, by PacifiCorp, the lessee. The original lease contained 613.92 acres. The request was for 443.92 acres. On December 14, 1995, BLM accepted the relinquishment of 293.92 acres of undisturbed lands from the 443.92 acres requested. In a letter to PacifiCorp, dated February 20, 2004, BLM had decided not to accept relinquishment of the remaining 150 acres due to issues regarding potentially recoverable reserves. The issues surrounding our decision have since been resolved, and BLM accepts relinquishment of the remaining acres requested. Our decision again is based on a review of the administrative record.

In accordance with 43 CFR 3452.1-3, the following lands are hereby accepted as relinquished as of April 24, 1992. 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 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 relinquished and retained lands are described as follows:

Relinquished Lands		Retained Lands	
T. 17 S., R. 7 E., SLM, UT		T. 17 S., R. 7 E., SLM, UT	
Sec 2, Lot 12, W/2SW;		Sec. 3, W/2W/2SESE;	
Sec. 3, E/2SESE, E/2W/2SESE.		Sec. 10, NE.	
150.00 acres	Emery County	170.00 acres	Emery County

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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(3) The likelihood of immediate and irreparable harm if the stay is granted, and
(4) Whether the public interest favors granting the stay.

Kent Hoffman
Deputy State Director
Lands and Minerals

Enclosure
Form 1842-1

cc: Resource Development Coordinating Committee
Manti-LaSal National Forest
MMS, Solid Minerals
Price Field Office (Attn: Steve Falk)
Mr. Lowell Braxton, Director, UDOGM, Box 145801, Salt Lake City, UT 84114-5801