



**COPY**

PO Box 310  
Huntington, Utah 84528

October 4, 2004

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

*Lucas*  
RECEIVED *10/15/2007*  
OCT 06 2004 *10/15/2008*  
DIV. OF OIL, GAS & MINING *10/15/2009*  
*Task 10*  
*#2047*

**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 Relinquishment  
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

File in:

Confidential

Shelf

Expandable

Refer to Record No *0124* Date *10/04/2004*

In *C/0150018, 2004* *Lucas*  
For additional information

J:\Environmental\Lease Relinquishment\covlet\_sugvol\_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

COPY

Permit Change [X] 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.

- 1. Change in the size of the Permit Area? Acres: \_\_\_\_\_ Disturbed Area: \_\_\_\_\_ [ ] increase [ ] decrease.
2. Is the application submitted as a result of a Division Order? DO# \_\_\_\_\_
3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
4. Does the application include operations in hydrologic basins other than as currently approved?
5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
6. Does the application require or include public notice publication?
7. Does the application require or include ownership, control, right-of-entry, or compliance information?
8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
9. Is the application submitted as a result of a Violation? NOV # \_\_\_\_\_
10. Is the application submitted as a result of other laws or regulations or policies?

Explain:

- 11. Does the application affect the surface landowner or change the post mining land use?
12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
13. Does the application require or include collection and reporting of any baseline information?
14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
15. Does the application require or include soil removal, storage or placement?
16. Does the application require or include vegetation monitoring, removal or revegetation activities?
17. Does the application require or include construction, modification, or removal of surface facilities?
18. Does the application require or include water monitoring, sediment or drainage control measures?
19. Does the application require or include certified designs, maps or calculation?
20. Does the application require or include subsidence control or monitoring?
21. Have reclamation costs for bonding been provided?
22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
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
Print Name

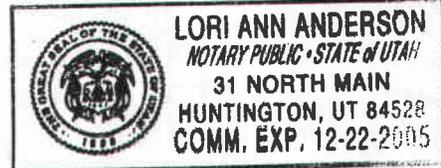
[Signature]

Geology/Permitting Supervisor 10-04-2004
Sign Name, Position, Date

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

[Signature]
Notary Public

My commission Expires: 12/22, 2005
Attest: State of Utah
County of Emery







**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



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

Coal lease U-024319:

Relinquished Lands

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

40.00 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

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. 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

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

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

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>

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

FEB 20 2004

### 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

T. 17 S., R. 7 E., SLM, UT  
Sec. 10, NENW, N/2SENW,  
NESWNW, E2NWNW;  
Sec. 15, NE.

Retained Lands

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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- (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>



FEB 20 2004

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

### DECISION

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



### 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

T. 17 S., R. 7 E., SLM, UT  
N/A

#### Retained Lands

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>

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	:	



### 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.

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- (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:  
3452  
U-066116  
(UT-923)

FEB 17 2004

## 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)  
T. 17 S., R. 7 E., SLM, UT  
Sec. 11, S2NWSE, NWNWSE,  
NWSWSE.

Retained Lands  
T. 17 S., R. 7 E., SLM, UT  
N/A

360.00 acres

Emery County

0.00 acres

Emery County

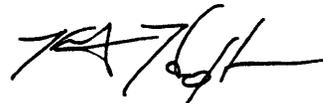
This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4, and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

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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>

FEB 20 2004

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

### 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.

Retained Lands

T. 17 S., R. 7 E., SLM, UT

Sec. 27, S2NW;

Sec. 28, S2NE, E2SENW.

1,820.00 acres

Emery County

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

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:

3452  
U-1358  
(UT-923)

FEB 20 2004

### DECISION

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



### 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

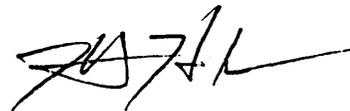
This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4, and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from 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.

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- (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

CERTIFIED MAIL – Return Receipt Requested

## DECISION

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



### 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>



JUN 24 2004

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

### 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

T. 17 S., R. 7 E., SLM, UT  
Sec 2, Lot 12, W/2SW;  
Sec. 3, E/2SESE, E/2W/2SESE.

150.00 acres

Emery County

Retained Lands

T. 17 S., R. 7 E., SLM, UT  
Sec. 3, W/2W/2SESE;  
Sec. 10, NE.

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