

2015/018 Incoming

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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>

IN REPLY REFER TO:

3480

UTU-73336

UTU-02664

UTU-06039

UTU-014275

UTU-024317

UTU-024319

UTU-040151

UTU-044025

UTU-083066

UTU-084923

UTU-084924

UTU-1358

UTU-2810

UTU-7653

UTU-47977

UTU-47978

UTU-47979

SL-050133

SL-050862

SL-051221

SL-064607-064621

SL-064900

SL-066116

SL-070645

(UT-923)

JUL 01 2010

RECEIVED
JUL 06 2010
DIV. OF OIL, GAS & MINING

CERTIFIED MAIL—Return Receipt Requested

DECISION

| | | |
|-----------------------------------|---|----------------------------------|
| PacifiCorp | : | LMU |
| c/o Interwest Mining Company | : | UTU-73336 |
| 1407 West North Temple, Suite 310 | : | Coal Leases |
| Salt Lake City, Utah 84116 | : | SL-050133, SL-050862, SL-051221, |
| | : | SL-064607-064621, SL-064900, |

: SL-066116, SL-070645, UTU-02664,
: UTU-06039, UTU-014275,
: UTU-024317, UTU-024319,
: UTU-040151, UTU-044025,
: UTU-083066, UTU-084923,
: UTU-084924, UTU-1358, UTU-2810,
: UTU-7653, UTU-47977, UTU-47978
: and UTU-47979
:

Logical Mining Unit Modification Approved

The East Mountain Logical Mining Unit (LMU) application UTU-73336 was filed December 23, 1986, and approved October 30, 1987 effective December 23, 1986. Modification 1, adding Federal Coal lease UTU-2810, was filed January 29, 1990, and the Public Notice of availability and Notice of Proposed Decision were published in the Emery County Progress on February 17 and 24, 1998. Therefore, this modification to this Logical Mining Unit is approved effective January 29, 1990. The BLM has determined that it is in conformance with the approval criteria as per 43 CFR 3487.

The approved east Mountain LMU contains 23,725.11 acres and is comprised of Federal coal leases SL-050133, SL-050862, SL-051221, SL-064607-064621, SL-064900, SL-066116, SL-070645, UTU-02664, UTU-06039, UTU-014275, UTU-024317, UTU-024319, UTU-040151, UTU-044025, UTU-083066, UTU-084923, UTU-084924, UTU-1358, UTU-2810, UTU-7653, UTU-47977, UTU-47978 and UTU-47979, state and fee land.

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.

~~ACTING~~ /s/ Jeff Rawson

Selma Sierra
State Director

cc:

Resource Development Coordinating Committee, ATTN: Mineral Leasing Taskforce,
116 State Capital Building, Salt Lake City, Utah 84114 (w/encl.)

Mr. John Baza, Director, UDOGM, Box 145801, Salt Lake City, Utah 84114-5801
(w/encl.)

Price Coal Office (w/encl.)

MMS, MRM, Solid Minerals Staff, Attn: Patrick Mulcahy, MS390B2, Box 25165,
Denver, CO 80225-0165