



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>



RECEIVED

MAR 29 2011

MAR 25 2011 DIV. OF OIL, GAS & MINING

IN REPLY REFER TO:
3480
UTU-73336
UTSL-064607-064621
UTSL-066116
UTSL-070645
UTU-02664
UTU-1358
UTU-47978
(UT-9223)

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	:	UTSL-064607-064621, UTSL-066116,
	:	UTSL-070645, UTU-02664, UTU-1358,
	:	and UTU-47978
	:	
	:	

East Mountain Logical Mining Unit Modification 7 Approved

The East Mountain Logical Mining Unit (LMU) was approved effective December 23, 1986. During an internal review conducted by the BLM Utah State office solid minerals staff, it was discovered that modification 7 to this Logical Mining Unit (LMU) was never formally approved. The intent of this letter is to formally approve this modification. Modification 7 is due to the partial relinquishments of Federal coal leases UTSL-064607-064621, UTSL-066116, UTSL-070645, UTU-02664, UTU-1358 and UTU-47978 which was approved February 20, 2004 and April 2, 2004, effective April 24, 1992.

Modification 7 partially deletes acreage from Federal Coal leases UTSL-064607-064621 consisting of 150.00 acres, UTSL-066116 consisting of 360.00 acres, UTSL-070645 consisting of 250.00 acres, UTU-02664 consisting of 250.00 acres, UTU-1358 consisting of 160.00 acres, and UTU-47978 consisting of 1,820.00 acres. The total change of 2,990.00 acres are being removed from the LMU as a result of the approval of the partial relinquishments, effective April 24, 1992.

The Resource Recovery and Protection Plan (R2P2) is also under review, including an update of the recoverable coal tonnage amount. Completion of the R2P2 update will be required prior to completion of the finalized LMU.

C/O 15/018 Incoming

OK

The Public Notice of Availability for this amendment was published in the Emery County Progress on February 1 and 8, 2011.

The BLM has determined that this proposed modification is in conformance with the approval criteria as per 43 CFR 3487. Therefore, these modifications to this Logical Mining Unit are approved effective August 30, 2002. The East Mountain LMU, as modified, now contains 18,140.95 acres.

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.

/s/ Juan Palma

Juan Palma
State Director

cc:

Resource Development Coordinating Committee, ATTN: Mineral Leasing Taskforce,
116 State Capital Building, Salt Lake City, Utah 84114
Mr. John Baza, Director, UDOGM, Box 145801, Salt Lake City, Utah 84114-5801
Price Coal Office
ONRR, ACM, Solid Minerals Staff, Attn: LeeAnn Martin, MS62300B, Box 25165,
Denver, CO 80225-0165