



**EAST MOUNTAIN  
FEDERAL COAL LEASE  
RELINQUISHMENT  
BLM APPROVALS**

Mine # C/015/0019  
File Incoming  
Record # 0023  
Doc. Date 7-3-04  
Recd. Date → 8-3-05 ←



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.

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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 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.

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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 45 155  
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.

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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 45 155  
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.

140.00 acres

Emery County

Sec. 26, NW.

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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- (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-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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- (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  
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, SESENE, E2NESW.

Relinquished Lands (October 16, 1992)

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

Sec. 28, SWNW, W2SENE,

SW, W2NWSE,

SWSE, S2SESE;

Sec. 29, E2SENE, E2E2SE;

Sec. 32, N2, N2S2;

Sec. 33, N2NE, N2S2NE, N2NW,

N2SENE, SWNW, SWSENE,

NWSW, W2NESW.

Retained Lands

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

Sec. 27, S2NW;

Sec. 28, S2NE, E2SENE.

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.

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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

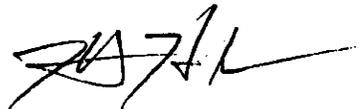
This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4, and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from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

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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

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

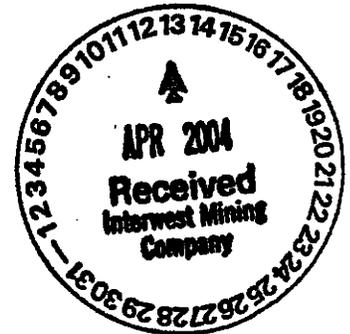


BUREAU OF LAND MANAGEMENT  
Utah State Office  
P.O. Box 45155  
Salt Lake City, UT 84145-0155  
<http://www.blm.gov>

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.

A handwritten signature in black ink, appearing to read 'Kent Hoffman', with a long horizontal line extending to the right.

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

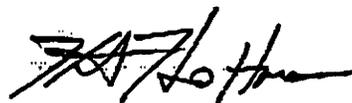
This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4, and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from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

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

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