

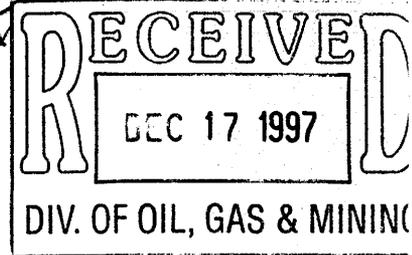
Orig: Pam Greubach Ltr 1/14
cc: R. [unclear]
m. [unclear]



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Utah State Office
P.O. Box 45155
Salt Lake City, UT 84145-0155



In Reply Refer To:
3487
UTU-73347 (Mohrland LMU)
(UT-932)

DEC 15 1997

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ACT/005/011 #0
Copy ACT/015/025 #2

DECISION

Intermountain Power Agency	:	
Attn: William W. Engels	:	Coal
Department of Water and Power	:	Mohrland Logical Mining Unit
City of Los Angeles	:	UTU-73347
111 No. Hope Street, Room 1164	:	
Los Angeles, CA 90051	:	

Mohrland Logical Mining Unit Application Rejected

On October 2, 1992, Intermountain Power Agency (IPA) filed a Logical Mining Unit (LMU) application with this office. The application was designated the Mohrland LMU application. It included two Federal coal leases (U-61048 and U-61049) plus private lands.

Effective July 1, 1997, the Federal leases were assigned to C.O.P. Coal Development Company (COP) from IPA. Subsequently, on August 27, 1997, COP filed an amendment to their Bear Canyon LMU application to include Federal leases U-61048 and U-61049.

Since the current lessee of U-61048 and U-61049 has amended its Bear Canyon LMU application to include these leases, they can no longer be considered part of the Mohrland LMU application. Therefore, the Mohrland LMU application is hereby rejected. ✓

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 of 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/ Douglas M. Koza

Douglas M. Koza
Deputy State Director,
Natural Resources

cc: Intermountain Power Agency
480 E. 6400 S., #200
Murray, Utah 84107

C.O.P. Coal Development Company
53 West Angelo Avenue
Salt Lake City, Utah 84115

bc: Price Coal Office (ATTN: Steve Falk)
Manti-LaSal National Forest
U.S. Forest Service, Ogden
Mr. Lowell Braxton, Director, UDOGM, Box 145801, Salt Lake City, UT 84114-5801

CMERRITT/REJ