

C/015/025 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:  
3487  
SL-025431  
UTU-88273  
(UT-9223)

MAR 08 2011

CERTIFIED MAIL—Return Receipt Requested

### NOTICE

|                            |   |            |
|----------------------------|---|------------|
| ANR Company, Inc.          | : | Coal Lease |
| 3212 South State Street    | : | SL-025431  |
| Salt Lake City, Utah 84115 | : | UTU-88273  |
|                            | : |            |
|                            | : |            |

Coal Lease Segregated  
Bond Required

Coal lease SL-025431 was issued effective February 8, 1923. An application for a coal Logical Mining Unit (LMU) serialized under UTU-73342 was approved on June 17, 2010.

Pursuant to 43 CFR 3480.0-5(a)(19) All lands in an LMU shall .... be contiguous. Lands contained in coal lease SL-025431 include lots 1, 5, 8 and 12, in Section 5, T. 16 S., R. 8 E., SLM, Utah. Lots 1 and 8 are not contiguous to other lands contained in the LMU. Therefore, pursuant to 43 CFR 3487.1(f)(3), "If only a portion of a Federal lease is included in an LMU, the remaining land shall be segregated into another Federal lease." Since only a portion of Federal coal lease SL-025431 was included in the Bear Canyon Logical Mining Unit, UTU-73342; that portion of coal lease SL-025431 which was not included in the Bear Canyon LMU is hereby segregated into a new coal lease UTU-88273. These leases are now described as follows:

Lands remaining in coal lease SL-025431:

T. 15 S., R. 7 E., SLM, Utah  
Sec. 36, S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ .

T. 15 S., R. 8 E., SLM, Utah  
Sec. 31, lots 1-4, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ .

T. 16 S., R. 8 E., SLM, Utah

**RECEIVED**  
**MAR 09 2011**  
**DIV. OF OIL, GAS & MINING**

Sec. 5, lots 5, 12;  
Sec. 6, lots 1-10.

Containing 1,201.56 acres; Emery County, Utah

Lands segregated and given Serial No. UTU-88273

T. 16 S., R. 8 E., SLM, Utah  
Sec. 5, lots 1, 8.

Containing 60.43 acres; Emery County, Utah

The terms and conditions of coal lease UTU-88273 will be the same as coal lease SL-025431, as readjusted effective February 8, 2003. Note that this lease will be subject to readjustment on February 8, 2013. Notification that the terms and conditions of lease SL-025431 are subject to readjustment on February 8, 2013 was contained in a notice dated February 11, 2011.

Additionally, a lease bond in the amount of \$5,000 is required to be submitted for lease UTU-88273. Bond forms are enclosed.

If ANR Company, Inc. does not want to retain this lease they may voluntarily relinquish the lease in accordance with 43 CFR 3452.

A compliance period of 30 days from the receipt of this decision will be allowed to submit the above bond. If no action is taken within the time allowed the lease may be subject to cancellation.

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/ Jeff Rawson

Juan Palma  
**ACTING** State Director

Enclosures

1. Form 1842-1 (1 p)
2. Bond Forms

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, MRM, Solid Minerals Staff, Attn: Patrick Mulcahy, MS390B2, Box 25165,  
Denver, CO 80225-0165  
Harv Forsgren, Regional Forester, U. S. Forest Service, 324 25<sup>th</sup> Street, Ogden, UT  
84401  
Pamela Brown, Forest Supervisor, Manti-La Sal National Forest, 599 Price River Dr.,  
Price, UT 84501