

C/015/025 Incoming

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MAR 14 2012

DIV. OF OIL, GAS & MINING

*Attorneys for COP Coal Development Company*

UNITED STATES DEPARTMENT OF THE INTERIOR  
OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF LAND APPEALS

COP COAL DEVELOPMENT COMPANY,

Appellant.

*(November 17, 2011 Decision Approving  
Minor Modification of R2P2, 4th Left Pillar,  
Castle Valley Mine No. 4, Castle Valley  
Mining, LLC, Operator)*

IBLA 2012-0052

**MOTION FOR EXTENSION OF TIME TO  
FILE STATEMENT OF REASONS**

3482 (UTG 023)  
UTU-73342 (LMU)  
U-020668 (Lead Coal Lease)

Appellant, COP Coal Development Company ("COP"), pursuant to 43 C.F.R. §§ 4.22(f) and 4.405, hereby respectfully moves the Interior Board of Land Appeals (the "Board"), for a short, additional extension of time to file its Statement of Reasons in the above-captioned appeal. Cause for this extension is demonstrated by the following:

1. The above-captioned appeal is one of several that COP has pending before the Board. Also pending is the consolidated appeal, IBLA 2011-111/-112, and appeal IBLA 2012-0039. The BLM has moved for consolidation of this appeal with the other pending appeals, and COP concurs with that Motion.

2. Additionally, COP is involved in numerous other matters pending before the United States Bankruptcy Court for the District of Utah, as well as the United States District Court, arising out of the bankruptcy case of C.W. Mining (Utah Bankruptcy Case No. 08-20105), the former operator of the coal mine in question in the above-captioned appeal, including litigation with Castle Valley, the operator of the mine at issue in these appeals, over issues related to the mine Operating Agreements.

3. Pursuant to the Board's order on COP's earlier motion, the current extended deadline to file the Statement of Reasons is March 14, 2012. While COP's Statement is "close" to ready to submit, because of the nature of the appeals, the possible consolidation, and the factual and legal complexities surrounding the issues (old and new alike), COP respectfully requests a brief additional extension of one week (to March 21, 2012) to properly finalize and transmit the Statement and related documents. COP fully anticipates filing the Statement before that deadline, so it anticipates little or no prejudice to the BLM or the other parties.

4. Pursuant to 43 CFR § 4.405(c), the undersigned counsel for COP has emailed counsel for the BLM, Castle Valley, and ANR, concerning this motion. Counsel for the BLM has indicated the BLM has no objection.

WHEREFORE, having shown good cause, COP respectfully requests that the Board grant a short extension of time, to March 21, 2012, for COP to file its Statement of Reasons in the above-captioned appeal.

DATED this 13<sup>th</sup> day of March, 2012.

SNOW, CHRISTENSEN & MARTINEAU



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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY, that on March 13, 2012, a true and correct copy of the foregoing **MOTION FOR EXTENSION OF TIME TO FILE STATEMENT OF REASONS**, was sent to the following in the manner indicated:

U.S. Department of Interior  
Office of Hearing and Appeals  
Interior Board of Land Appeals  
801 North Quincey St., MS 300-QC  
Arlington, VA 22203  
*(Via Fax: 703-235-9902 and US Mail)*

U.S. Department of Interior  
Bureau of Land Management  
Utah State Office  
440 West 200 South, Suite 500  
Salt Lake City, UT 84101  
*(Via U.S. Mail)*

Lawrence J. Jensen, Regional Solicitor  
John Steiger, Deputy Regional Solicitor  
U.S. Department of the Interior  
Office of the Regional Solicitor  
6201 Federal Bldg.  
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A handwritten signature in cursive script, appearing to read "Mitchell Rupperto", is written over a horizontal dashed line.