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OCT 26 1993

DIVISION OF
OIL, GAS & MINING

**BELINA MINE COMPLEX
MINING & RECLAMATION PLAN APPLICATION
ACT/007/001**

**R645-303-300 APPLICATION FOR APPROVAL
OF TRANSFER, ASSIGNMENT OR SALE OF PERMIT**

DATED: _____

MRP

MINING RECLAMATION PLAN APPLICATION FOR APPROVAL OF TRANSFER ASSIGNMENT OR SALE OF PERMIT

R645-303-321	Application for approval of transfer assignment or sale of permit
EXHIBIT A	Permit No. 898-5588
EXHIBIT B	Permit No. 898-5587
EXHIBIT C	Permit No. KY - 090
EXHIBIT D	Permit No. 898-5587
EXHIBIT E	Permit No. 489-5438
EXHIBIT F	Assignment
EXHIBIT G	Lease and easement agreement
EXHIBIT H	Certificate of insurance

**R645-303-321 APPLICATION FOR APPROVAL
OF TRANSFER, ASSIGNMENT OR SALE OF PERMIT**

321.100:

Existing Permittee:

Valley Camp of Utah, Inc.
206 Seneca Street
P.O. Box 900
Oil City, Pennsylvania 16301
ACT/007/001

321.200:

This is an application for transfer of all permit rights and pending applications under the Utah Coal Program for the Belina Mine Complex, located in Carbon County and Emery County, Utah, from the existing permittee, Valley Camp of Utah, Inc., a Utah corporation, to White Oak Mining & Construction Company, Inc., a Nevada corporation ("White Oak"). Upon approval of this application by the Utah Division of Oil, Gas & Mining ("Division"), the pending Mining and Reclamation Plan submitted in August, 1993 ("MRP") will be revised.

321.300:

Applicant (R645-301-112.100 and .200):

White Oak
148 South Lake Drive
Prestonburg, Kentucky 41653
(606) 886-2751

Applicant is a Nevada corporation, incorporated July 1, 1993, is duly organized, validly existing and in good standing in the State of Utah.

Resident Agent for Service (112.220):

Mike Gipson, Mine Manager
Scofield Route
P.O. Box 60
Helper, Utah 84528
Telephone: (801) 448-9420

Person Who Will Pay Abandoned Mine Land Fee (112.230):

White Oak
148 South Lake Drive
Prestonburg, Kentucky 41653
(606) 886-2751

Ownership and Control (112.300 and .400):

(1) **Permit Applicant:**

White Oak
148 South Lake Drive
Prestonburg, Kentucky 41653
(606) 886-2751

(2) **Names and Addresses of Officers and Directors of Applicant:**

OFFICERS:

NAME AND ADDRESS

POSITION

Scott Kiscaden
RRT. 8 Box 1055
Abington, Virginia 24210-8656

President
as of 7/1/93

Donn Chickering
148 South Lake Drive
Prestonburg, Kentucky 41653

Vice President
as of 7/1/93

Todd Kiscaden
109 Arrowhead Estates
Pikeville, Kentucky 41501

Secretary
as of 7/1/93

Keith Vanhooser
Scott Edition
Pikeville, Kentucky 41501

Treasurer
as of 7/1/93

DIRECTORS:

Keith Vanhooser
Scott Edition
Pikeville, Kentucky 41501

Director
as of 7/1/93

Todd Kiscaden
109 Arrowhead Estates
Pikeville, Kentucky 41501

Director
as of 7/1/93

Scott Kiscaden
RRT. 8 Box 1055
Abington, Virginia 24210-8656

Director
as of 7/1/93

(3) **Names and Addresses of Principal Shareholders of Applicant:**

Todd Kiscaden (50% of voting stock)
109 Arrowhead Estates
Pikeville, Kentucky 64501

Scott Kiscaden (50% of voting stock)
RRT. 8 Box 105
Abington, Virginia 24210-8656

(4) **Names Under Which Directors, Officers and Principal Shareholders Previously Operated Mining Activities:**

- a. Donn Chickering (Exhibit A)
- b. Todd Kiscaden (Exhibit B)
- c. Scott Kiscaden (Exhibit C)
- d. Keith Vanhooser (Exhibit D)

(5) **Current or Previous Coal Mining Permits or Pending Permit Application:**

- a. Donn Chickering (Exhibit A)
- b. Todd Kiscaden (Exhibit B)
- c. Scott Kiscaden (Exhibit C)
- d. Keith Vanhooser (Exhibit D)

Legal or Equitable Owners of Record (112.500 and 600):

(1) **The Surface Owners of Record of the Areas Affected by or Contiguous to the Surface Operations and Facilities of White Oak are:**

a. **Contiguous**

Alpine School District
50 North Center
American Fork, Utah 84003

Carbon County School District
65 East 400 North
Price, Utah 84501

Hellenic Orthodox Church
Price, Utah 84501

Jacob, J. Mark & James C.
754 S. Cherry
Orem, Utah 84057

Otani, Jack & Sei
P.O. Box 501
Clear Creek, Utah 84517

Lutheran High School Association
222 North Santiago Boulevard
Orange, California 92667

Radakovich, Robert & Ellen
340 North 600 East
Price, Utah 84501

Telonis, Evangelos George
c/o Angelo Georgedes
761 North 300 East
Price, Utah 84501

United States of America
Department of Agriculture
599 West Price River Drive
Price, Utah 84501

Brent Bawden
2109 East LaSalle Way
Gilbert, Arizona 85234

b. Within Permit Boundaries

Coastal States Energy Co.
175 East 400 South
Salt Lake City, Utah 84111

Madsen, Della L. & Hilda M.
Meadow, Utah 84644

Liidakis, George & Helen
150 E. 1st S.
P.O. Box 805
Price, Utah 84501

Oman, Milton A.
61 South Main
Salt Lake City, Utah 84115

Kosec, Louis & Anna
Rt. #1, Box 12
Helper, Utah 84526

L.D.S. Church
336 South 3rd East
Salt Lake City, Utah 84111

L&L Agri Business
P.O. Box 51
Moroni, Utah 84646

Rescu-Med, Inc.
P.O. Box 1115
Provo, Utah 84601

Utah Natural Gas Company
(merged) Mountain Fuel Supply
180 East 100 South
Salt Lake City, Utah 84139

Baer, Larry & Iva
4308 West Bonanza Road
Las Vegas, Nevada 89107

Clegg, Carl & Grace
221 North 550 East
Orem, Utah 84057

White Oak Mining & Construction Company, Inc.
P.O. Box 60
Helper, Utah 84528

Kanawha and Hocking Coal and Coke Company, predecessor to White
Oak Mining & Construction Company, Inc. See Exhibit F attached
hereto.

(2) **The Legal or Equitable Owners of Record of Coal to be Mined or Coal Contiguous Thereto Are:**

a. Contiguous

White Oak Mining & Construction Company, Inc., as successor to Kanawha and Hocking Coal and Coke Company. See Exhibit F attached hereto.

Telonis, Evangelos George
c/o Angelo Georgedes
761 North 300 East
Price, Utah 84501

Coastal States Energy Company
Nine Greenway Plaza
Houston, Texas 77046

Kaiser Steel Corporation
300 Lakeside Drive
Oakland, California 94666

Noal Tanner
2796 North Arapahoe Lane
Provo, Utah 84601

United States of America
Department of the Interior
Bureau of Land Management
324 South State Street
Salt Lake City, Utah 84111

Utah Power & Light Company
P.O. Box 899
Salt Lake City, Utah 84110

Western Reserve Coal Company, Inc.
c/o Dean Phillips
P.O. Box 188
Lewiston, Missouri 63452

Stagstead, Inc.
(this property was repossessed by Kaiser Steel)

Carbon County
Price, Utah 84501

McKinnon, Tony & Karen
6074 Don Jose Drive
Salt Lake City, Utah 84118

b. Within Permit Boundaries

White Oak Mining & Construction Company, Inc., as successor to Kanawha and Hocking Coal and Coke Company. See Exhibit F attached hereto.

Stagstead, Inc.
(this property was repossessed by Kaiser Steel)

Kaiser Steel Corporation
300 Lakeside Drive
Oakland, California 94666

MSHA Number (112.700):

Belina No. 1 Mine	42-01279
Belina No. 2 Mine	42-01280
Valcam Loadout Facility	42-01280

Option -- Contiguous Lands (112.800):

There are no outstanding interests in lands, options or pending bids on interests held or made by the applicant for lands which are contiguous to the area to be covered by the permit.

Compliance Information (113):

(1) **Statement of Compliance (113.100 - .200):**

Neither the applicant, nor any of its subsidiaries, affiliates or persons controlled by or under common control with the applicant has had a federal or state mining permit suspended or revoked in the last five years; nor forfeited a mining bond or similar security deposited in lieu of bond.

(2) **Violation Notices (113.300):**

Exhibit E has been amended and sets forth violation notices received by the applicant and any person who owns or controls applicant in connection with any underground or surface coal mining activities within the last three years.

Right of Entry and Operations Information:

(1) **Right of Entry (114.100):**

Applicant has obtained legal right to enter and continue underground coal mining activities pursuant to instruments of conveyance dated as of September 16, 1993 between Kanawha Hocking Coal and Coke Co. and Valley Camp of Utah, Inc., grantor/assignor, and White Oak Mining & Construction Co., Inc., grantee/assignee, attached as Exhibit F.

Under these instruments, all grantor's right, title and interest in the Belina Mine as described on pages 100-17 to 100-23 of the MRP, was conveyed to White Oak.

The area of Skyline's conveyor and loadout is owned by White Oak. Skyline has obtained a right of entry from White Oak for this property.

(2) **Surface Owner Consent (114.200):**

Surface leases with the following individuals constitute surface owner's consent and copies of these leases are attached as Exhibit G:

Surface Lease dated January 1, 1979
Della L. Madsen
Robert G. and Hilda M. Hammond, Lessors

Surface Lease and Right of Way Agreement
dated August 14, 1975
Milton A. and Bessie G. Oman, Lessors

Surface Lease and Easement Agreement dated August 6, 1976
Helen, Nick and Koula Marakis, Lessors

Relationship to Areas Designated Unsuitable for Mining (115):

- (1) The permit area is not within an area or under study as an area designated as unsuitable for mining.
- (2) The approved MRP states that the Applicant does not propose to mine within 300 feet of an occupied building or within 100 feet of a public road. See pages 100-24 of the MRP.
- (3) If any such activities are occurring, Applicant has valid existing rights with respect to State Highways 96 and 264 and the Alpine School District property. This issue would appear to raise matters beyond the transfer application.

Permit Term (116):

- (1) Applicant proposes to continue operations under ACT/007/001 consistent with Utah Code Ann. § 40-10-9(2). The schedule of operations is set forth at pp.100-24 of 27 and 100-25 of 27 of the MRP.
- (2) The permit term is for five (5) years.

Personal Injury and Property Damage Insurance Information (117.100):

The certificate of liability insurance issued by Federal Insurance Company for White Oak is attached as Exhibit H.

322: Newspaper Advertisement and Proof of Publication

Notice of this proposed transfer was submitted for publication to the Emery County Progress and the Sun Advocate in Price, Utah in substantially the following form. Upon publication, proof will be submitted to the Division pursuant to R645-303-322 as follows:

NOTICE

Notice is hereby given that White Oak Mining & Construction Co., Inc., has submitted an application to the Division of Oil, Gas & Mining for transfer of the Belina Mine Complex, Permit No. ACT/007/001 under the provisions of R645-303-300.

The previous permittee was Valley Camp of Utah, Inc.

The mine permit area is located as follows:

Township 13 South, Range 6 East, SLBM

- Section 24: SE 1/4, and portions of S 1/2 NE 1/4, NW 1/4 NE 1/4, and E 1/2 SW 1/4
Section 25: E 1/2, portion of W 1/2
Section 35: Portions of E 1/2 E 1/2, and SW 1/4 SE 1/4
Section 36: All.

Township 13 South, Range 7 East, SLBM

- Section 8: E 1/2 SE 1/4, portion of SW 1/4 SE 1/4
Section 9: W 1/2 SW 1/4
Section 16: W 1/2 W 1/2, NE 1/4 NW 1/4, NW 1/4 NE 1/4

- Section 17: NE 1/4 excluding parts of SW 1/4 NE 1/4 and NE 1/4 NE 1/4, N 1/2 SE 1/4, S 1/2 SW 1/4
- Section 18: S 1/2 SE 1/4, SW 1/4
- Section 19: S 1/2 SW 1/4, NE 1/4 SW 1/4, and portions of W 1/2 E 1/2, E 1/2 NW 1/4, and NE 1/4 NE 1/4
- Section 20: Portions of NE 1/4 NE 1/4
- Section 21: Portions of NW 1/4 NW 1/4
- Section 30: W 1/2 W 1/2, SE 1/4 SW 1/4, NE 1/4 NW 1/4
- Section 31: Portions of W 1/2 NW 1/4

Township 14 South, Range 6 East, SLBM

- Section 1: E 1/2 NE 1/4, NE 1/4 SE 1/4

Township 14 South, Range 7 East, SLBM

- Section 6: W 1/2, W 1/2 E 1/2
- Section 7: NW 1/4, NW 1/4 NE 1/4

Pertinent comments are solicited from anyone affected by this proposal. Such comments should be filed within the next thirty (30) days with:

State of Utah
 Department of Natural Resources
 Division of Oil, Gas & Mining
 355 West North Temple
 III Triad Center, Suite 350
 Salt Lake City, Utah 84180-1203

340: STATEMENT

- (1) White Oak Mining & Construction Company, Inc., agrees to conduct operations covered by the application and/or permit in accordance with the requirements of the Utah Coal Mining & Reclamation Act, implementing regulations and the regulatory program;
- (2) Upon final approval of the application, applicant agrees to submit a letter of credit or other acceptable form of surety to secure the reclamation liability of the Belina Mine Complex; and
- (3) The applicant will conduct the operations in full compliance with the terms and conditions of the application as finally approved, unless and until it has obtained a new permit.
- (4) The information contained in this Application is true and correct to the best of my information and belief.

EXECUTED this 26th day of Oct, 1993 by the undersigned.

WHITE OAK MINING & CONSTRUCTION CO.,
INC.

BY Todd Kiscaden
TODD KISCADEN
ITS SECRETARY

STATE OF Utah
COUNTY OF Salt Lake : ss.

On this 26th day of October, 1993, personally appeared before me Todd Kiscaden, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn, did say that he is the Secretary of White Oak Mining & Construction Co., Inc., and that said document was signed by him in behalf of said corporation by authority of its bylaws, and said Todd Kiscaden acknowledged to me that said corporation executed the same.

Julie L. McKenzie
Notary Public
Residing at Davis County

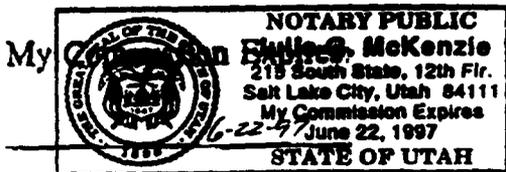


EXHIBIT A

111

ITEM 1.13 page 1 of 3

Complete this item whenever a business entity (rather than an individual) is listed in items 1.9, 1.10, 1.11, 1.12, or 1.13. Check the box below which corresponds to the item number in which the entity is found.

Check appropriate box [] 1.9 [X] 1.10 [] 1.11 [] 1.12 [] 1.13

Name of entity Quaker Coal Company, Inc.

List below the owners and controllers of parent entity. If any person listed is a business entity and not an individual, also complete an item 1.13 for that entity.

Name Donn Chickering
 Mailing Address 148 South Lake Drive
 If P.O. Box, indicate Street Address _____
 City Prestonsburg State Kentucky Zip 41653
 Telephone No. (606) 886-6300 Social Security No. 007-36-3964
 Employer ID No. 007-36-3964
 Ownership/Control relationship to parent entity Owns 100% of voting stock
 Location in organizational structure Director and CEO
 Percent of ownership 100%
 Official title within organization Director and CEO
 Beginning date of ownership 10-9-75
 Beginning date of affiliation 10-9-75

Name Scott Kiscaden
 Mailing Address 148 South Lake Drive
 If P.O. Box, indicate Street Address _____
 City Prestonsburg State Kentucky Zip 41653
 Telephone No. (606) 886-6300 Social Security No. 231-66-6617
 Employer ID No. 231-66-6617
 Ownership/Control relationship to parent entity President - no ownership
 Location in organizational structure President
 Percent of ownership 0%
 Official title within organization President
 Beginning date of ownership N/A
 Beginning date of affiliation 2/15/93

Name Robert Mayfield
 Mailing Address 148 South Lake Drive
 If P.O. Box, indicate Street Address _____
 City Prestonsburg State Kentucky Zip 41653
 Telephone No. (606) 886-6300 Social Security No. 406-80-0917
 Employer ID No. 406-80-0917
 Ownership/Control relationship to parent entity Vice President-No Ownership
 Location in organizational structure Vice President of Operations
 Percent of ownership 0%
 Official title within organization Vice President
 Beginning date of ownership N/A
 Beginning date of affiliation 2/15/93

ITEM 1.13 page 2 of 3

Complete this item whenever a business entity (rather than an individual) is listed in items 1.9, 1.10, 1.11, 1.12, or 1.13. Check the box below which corresponds to the item number in which the entity is found.

Check appropriate box [] 1.9 [X] 1.10 [] 1.11 [] 1.12 [] 1.13

Name of entity Continued

List below the owners and controllers of parent entity. If any person listed is a business entity and not an individual, also complete an item 1.13 for that entity.

Name Michael Castle
 Mailing Address 148 South Lake Drive
 If P.O. Box, indicate Street Address _____
 City Prestonsburg State Kentucky Zip 41653
 Telephone No. (606) 886-6300 Social Security No. 401-94-2698
 Employer ID No. 401-94-2698
 Ownership/Control relationship to parent entity Vice President of Finance/Sec./Tres.
 Location in organizational structure V.P./Sec./Tres.
 Percent of ownership 0%
 Official title within organization V.P./Sec./Tres.
 Beginning date of ownership N/A
 Beginning date of affiliation 2-15-93

Name Quaker Holding Company, Inc.
 Mailing Address 148 South Lake Drive
 If P.O. Box, indicate Street Address _____
 City Prestonsburg State Kentucky Zip 41653
 Telephone No. (606) 886-6300 Social Security No. N/A
 Employer ID No. Applied For
 Ownership/Control relationship to parent entity Owns 100% of Quaker Coal Company
 Location in organizational structure Owns 100% of Quaker Coal Company
 Percent of ownership 100%
 Official title within organization N/A
 Beginning date of ownership 2-15-93
 Beginning date of affiliation 2-15-93

Name _____
 Mailing Address _____
 If P.O. Box, indicate Street Address _____
 City _____ State _____ Zip _____
 Telephone No. (____) _____ Social Security No. _____
 Employer ID No. _____
 Ownership/Control relationship to parent entity _____
 Location in organizational structure _____
 Percent of ownership _____
 Official title within organization _____
 Beginning date of ownership _____
 Beginning date of affiliation _____

ITEM 1.13 page 3 of 3

Complete this item whenever a business entity (rather than an individual) is listed in items 1.9, 1.10, 1.11, 1.12, or 1.13. Check the box below which corresponds to the item number in which the entity is found.

Check appropriate box [] 1.9 [] 1.10 [] 1.11 [] 1.12 [X] 1.13

Name of entity Quaker Holding Company, Inc.

List below the owners and controllers of parent entity. If any person listed is a business entity and not an individual, also complete an item 1.13 for that entity.

Name Donn Chickering
 Mailing Address 148 South Lake Drive
 If P.O. Box, indicate Street Address _____
 City Prestonsburg State Kentucky Zip 41653
 Telephone No. (606) 886-6300 Social Security No. 007-36-3964
 Employer ID No. 007-36-3964
 Ownership/Control relationship to parent entity Owns 100% of voting stock
 Location in organizational structure President
 Percent of ownership 100%
 Official title within organization President
 Beginning date of ownership 2-15-93
 Beginning date of affiliation 2-15-93

Name Scott Kiscaden
 Mailing Address 148 South Lake Drive
 If P.O. Box, indicate Street Address _____
 City Prestonsburg State Kentucky Zip 41653
 Telephone No. (606) 886-6300 Social Security No. 231-66-6617
 Employer ID No. 231-66-6617
 Ownership/Control relationship to parent entity Sec./Tres
 Location in organizational structure Sec./Tres.
 Percent of ownership 0%
 Official title within organization Sec./Tres
 Beginning date of ownership N/A
 Beginning date of affiliation 2/15/93

Name _____
 Mailing Address _____
 If P.O. Box, indicate Street Address _____
 City _____ State _____ Zip _____
 Telephone No. (____) _____ Social Security No. _____
 Employer ID No. _____
 Ownership/Control relationship to parent entity _____
 Location in organizational structure _____
 Percent of ownership _____
 Official title within organization _____
 Beginning date of ownership _____
 Beginning date of affiliation _____

1.14 (continued) page ___ of ___

Name of Applicant or Person: Donn Chickering
 Permittee Branham & Baker Coal Company, Inc. Employer ID No. 51-0594344
 Address 148 South Lake Drive
 City Prestonsburg State Kentucky Zip 41653

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
877-5014	Kv	Surface Mining Reclamation and Enforcement	Released With No Disturbance	
877-5016	Ky	" " "	15-08909	01/25/82
877-8002	Ky	" " "	15-09399	03/03/89
877-8003	Kv	" " "	15-09399	03/03/89
898-0303	Ky	" " "	15-17008	01/02/91
898-0303 Am #1	Ky	" " "	15-17008	01/02/91
898-0304	Ky	" " "	15-16940	08/30/90
898-0350	Ky	" " "	15-17249	06/19/92
898-0351	Ky	" " "	Job Not Activated	
898-0367	Ky	" " "	15-16025	05/18/87
898-0372	Ky	" " "	15-12787	05/04/81
898-5508	Ky	" " "	15-16115	07/28/87
898-5509	Ky	" " "	15-16115	07/28/87
898-5587	Ky	" " "	15-17249	06/29/92
898-5588	Ky	" " "	Job Not Activated	
898-5602	Ky	" " "	15-11529	09/05/78
898-5603	Ky	" " "	15-12081	10/18/79
898-5604	Ky	" " "	15-10989	12/27/77
898-5605	Kv	" " "	15-16150	09/03/87
898-5606	Ky	" " "	15-13652	08/20/82
898-5607	Kv	" " "	15-03195	04/10/75

EXHIBIT B

PERMIT NUMBER 898 - 5587

2.10 List all permits issued within the five (5) years preceding the date of this application for surface coal mining operations in the United States owned or controlled by the operator and/or any person identified in items 2.6, 2.7, 2.8, or 2.9:

Name of Operator or Person: Donald Todd Kiscaden

Permittee AgipCoal, USA Employer ID No. 61-1093839
 Address P.O. Box 565
 City Huntington State West Virginia Zip 25710

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
880-5069	Ky	Department for Surface Mining Reclamation and Enforcement	15-16744	08/08/89

Name of Operator or Person: Donald Todd Kiscaden

Permittee Kiah Creek Mining Co. Employer ID No. 61-1155442
 Address P. O. Box 1409 154 College Street
 City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
898-5365	Ky	Department for Surface Mining Reclamation and Enforcement	15-16616	05/04/89
898-5497	Ky	" " "	15-04244	10/19/89
898-5441	Ky	" " "	15-16923	08/03/90
898-5191	Ky	" " "	Transferred To: 898-5441	

898-5364

PERMIT NUMBER 898 - 5587

2.10 (continued) page 2 of 7

Name of Operator or Person: Donald Todd Kiscaden
 Permittee Black Dragon Mining Company Employer ID No. 61-1175888
 Address P.O. Box 1409 154 College Street
 City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
898-5556	Ky	Department for Surface Mining Reclamation and Enforcement	15-17091	09/29/92
898-5161	Ky	" " "	15-13906	05/14/85

Name of Operator or Person: Donald Todd Kiscaden
 Permittee Sidewinder Mining Co. Employer ID No. 61-1166697
 Address P.O. Box 1409 154 College Street
 City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
898-9054	Ky	Department for Surface Mining Reclamation and Enforcement	15-14468	07/13/87

PERMIT NUMBER 898 - 5587

2.10 (continued) page 3 of 7

Name of Operator or Person: Donald Todd Kiscaden

Permittee Raven Mining Co. Employer ID No. 61-1169066

Address P.O. Box 1409 154 College Street

City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSEA NUMBER	DATE MSHA NO. ISSUED
880-5084	Ky	Department for Surface Mining Reclamation and Enforcement	15-16744	11/06/89
880-5086	Ky	" " "	15-16832	08/06/91
880-5061	Ky	" " "	15-16743	10/30/91
880-5089	Ky	" " "	15-17250	06/22/92
880-5069	Ky	" " "	15-16744	08/08/89

Name of Operator or Person: Donald Todd Kiscaden

Permittee Mordor Mining Corporation Employer ID No. 61-1191412

Address P. O. Box 1409 154 College Street

City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSEA NUMBER	DATE MSHA NO. ISSUED
898-5516	Ky	Department for Surface Mining Reclamation and Enforcement	15-13906	04/05/90

bu
898-5517
not in application

PERMIT NUMBER 898 - 5587

2.10 (continued) page 4 of 7

Name of Operator or Person: Donald Todd Kiscaden
K.T.K. Mining and
 Permittee Construction Company Employer ID No. 61-1093839
 Address P.O. Box 1409 154 College Street
 City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
880-5031	Ky	Department for Surface Mining Reclamation and Enforcement	15-15665	06/30/86
880-5064	Ky	" " "	15-16308	05/25/88
880-5074	Ky	" " "	15-16505	11/08/88
880-5042	Ky	" " "	15-16505	01/31/89
898-0180	Ky	" " "	15-15991	12/04/85

Name of Operator or Person: Donald Todd Kiscaden
 Permittee Black Mountain Mining Company Employer ID No. 61-1211533
 Address P.O. Box 1409 154 College Street
 City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
120-1390	Va	Department for Surface Mining Reclamation and Enforcement	44-04593	02/07/92
807-5056	Va	" " "	15-16695	07/21/86

PERMIT NUMBER 898 - 5587

2.10 (continued) page 5 of 7

Name of Operator or Person: Donald Todd Kiscaden

Permittee Tennessee Construction Company Employer ID No. 61-1121352
 Address P.O. Box 1409 154 College Street
 City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
898-8043	Ky	Department for Surface Mining Reclamation and Enforcement	15-06733	10/19/89

Name of Operator or Person: Donald Todd Kiscaden

Permittee Jackal Mining Co. Employer ID No. 61-1166695
 Address P.O. Box 1409 154 College Street
 City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
698-5018	Ky	Department for Surface Mining Reclamation and Enforcement	15-04244	09/19/84
898-5497	Ky	" " "	15-04244	10/19/89
898-5587	Ky	" " "	15-17299	09/21/92

PERMIT NUMBER 898 - 5587

2.10 (continued) page 6 of 7

Name of Operator or Person: Donald Todd Kiscaden
SMK Mining & Construction
 Permittee Company, Incorporated Employer ID No. 61-1093840
 Address P. O. Box 1409 154 College Street
 City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
U-5099-88	WV	Department for Surface Mining Reclamation and Enforcement	46-07838	03/12/90
U-3012-90	WV	" " "	46-08014	03/28/91

Name of Operator or Person: Donald Todd Kiscaden
 Permittee Lightning Construction Company Employer ID No. 61-1123615
 Address P. O. Box 1409 154 College Street
 City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED

PERMIT NUMBER 898 - 5582

2.10 (continued) page 2 of 2

Name of Operator or Person: Donald Todd Kiscaden
 Permittee CAS-Coal, Inc. Employer ID No. 61-1166693
 Address P.O. Box 1409
 City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
US01091	WV	Department for Surface Mining Reclamation and Enforcement	46-08019	04/18/91

Name of Operator or Person: Donald Todd Kiscaden
 Permittee Enoxy Coal, Inc. Employer ID No. 61-1093839
 Address P.O. Box 565
 City Huntington State West Virginia Zip 25710

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
880-5042	KY	Department for Surface Mining Reclamation and Enforcement	15-16505	01/31/89

PERMIT NUMBER 898 - 5587

2.11 List all permit applications pending for surface coal mining operations in the United States owned or controlled by the operator and/or any person identified in item 2.6, 2.7, 2.8, or 2.9:

Name of Operator or Person: Donald Todd Kiscaden

Applicant Knott County Coal Company Employer ID No. 61-1155442
 Address P.O. Box 2805 US 23N
 City Pikeville State Kentucky Zip 41502

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
860-5137	Ky	Department for Surface Mining Reclamation and Enforcement	15-17326	11/14/92

Name of Operator or Person: Donald Todd Kiscaden

Applicant Panther Land Corporation Employer ID No. 61-1166693
 Address 148 South Lake Drive
 City Prestonsburg State Kentucky Zip 41653

MD
5463

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
898-5470	Ky	Department for Surface Mining Reclamation and Enforcement	15-17092	10/21/91

PERMIT NUMBER 898 - 5587

2.11 (continued) page 2 of 2

Name of Operator or Person: Donald Todd Kiscaden
Standard Elkhorn
 Permittee Mining Corporation Employer ID No. 61-1020627
 Address 148 South Lake Drive
 City Prestonsburg State Kentucky Zip 41653

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
498-5438	Ky	Department for Surface Mining Reclamation and Enforcement	15-16678	10/14/91

Name of Operator or Person: Donald Todd Kiscaden
 Permittee AgipCoal, USA Employer ID No. 61-1093839
 Address P. O. Box 565
 City Huntington State West Virginia Zip 25710

not in application

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
880-5094	Ky	Department for Surface Mining Reclamation and Enforcement	Pending	Pending

EXHIBIT C

PERMIT NUMBER _____

- 1.14 List all permits issued within the five (5) years preceding the date of this application for surface coal mining operations in the United States owned or controlled by the applicant and/or any person identified in items 1.8, 1.9, 1.10, 1.11, 1.12, or 1.13.

Name of Applicant or Person: Scott KiscadenPermittee Branham & Baker Coal Company, Inc. Employer ID No. 61-0594344Address 148 South Lake DriveCity Princetonburg State Kentucky Zip 41553

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
036-0129	KY	Surface Mining Reclamation and Enforcement	15-08909	07/28/85
436-5118	KY	" " "	15-08909	01/27/84
436-5204	KY	" " "	15-13995	04/06/83
436-5206	KY	" " "	15-15123	03/20/85
477-0131	KY	" " "	15-08909	01/31/84
477-5018	KY	" " "	15-08909	01/27/84
477-5021	KY	" " "	15-15054	01/15/90
477-5046	KY	" " "	15-08909	01/27/84
477-5050	KY	" " "	15-16316	03/03/88
477-5051	KY	" " "	15-16316	03/03/88
477-5052	KY	" " "	15-16735	10/10/89
477-5053	KY	" " "	15-08909	01/27/84
477-5054	KY	" " "	15-08909	01/27/84
477-7002	KY	" " "	Haul Road Only	
698-8013	KY	" " "	Job Not Activated	
813-0009	KY	" " "	15-14107	06/27/83
813-0131	KY	" " "	15-07782	02/28/89
813-0132	KY	" " "	Job Not Activated	
813-0133	KY	" " "	15-07782	02/28/89
813-0136	KY	" " "	15-07782	02/28/89
813-0149	KY	" " "	15-07782	03/30/89

PERMIT NUMBER _____

1.14 (continued) page ___ of ___

Name of Applicant or Person: Scott KiscadenPermittee Branham & Baker Coal Company, Inc. Employer ID No. 61-0594344Address 148 South Lake DriveCity Prestonsburg State Kentucky Zip 41653

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
813-7005	Ky	Surface Mining Reclamation and Enforcement	Haul Road	
813-7006	Ky	" " "	Haul Road	
836-0023	Ky	" " "	Hollow Fill Only	
836-0069	Ky	" " "	15-13962	01/25/89
836-0162	Ky	" " "	15-13962	04/19/88
836-0171	Ky	" " "	15-16154	05/15/87
836-0179	Ky	" " "	15-13962	04/19/88
836-0179 Am #3	Ky	" " "	15-13962	04/19/88
836-5079	Ky	" " "	15-13962	04/19/88
836-5106	Ky	" " "	15-16320	04/25/86
877-0014	Ky	" " "	15-08909	02/31/84
877-0015	Ky	" " "	Released With No Disturbance	
877-0018	Ky	" " "	15-08909	01/31/84
877-0023	Ky	" " "	15-08909	01/27/84
877-0024	Ky	" " "	15-16953	01/11/91
877-0026	Ky	" " "	15-08909	01/27/84
877-0039	Ky	" " "	15-08909	01/27/84
877-0047	Ky	" " "	15-08909	01/27/84
877-0055	Ky	" " "	15-08909	01/25/82
877-0078	Ky	" " "	15-08909	02/02/88
877-5001	Ky	" " "	15-08909	01/31/84

PERMIT NUMBER _____

1.14 (continued) page ___ of ___

Name of Applicant or Person: Scott Kiscaden

Permittee Branham & Baker Coal Company, Inc. Employer ID No. 61-0594344

Address 148 South Lake Drive

City Prestonsburg State Kentucky Zip 41653

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
877-5014	Ky	Surface Mining Reclamation and Enforcement	Released With No Disturbance	
877-5016	Ky	" " "	15-08909	01/25/82
877-8002	Ky	" " "	15-09399	03/03/89
877-8003	Ky	" " "	15-09399	03/03/89
898-0303	Ky	" " "	15-17008	01/02/91
898-0303 Am #1	Ky	" " "	15-17008	01/02/91
898-0304	Ky	" " "	15-16940	08/30/90
898-0350	Ky	" " "	15-17249	06/19/92
898-0351	Ky	" " "	Job Not Activated	
898-0367	Ky	" " "	15-16025	05/18/87
898-0372	Ky	" " "	15-12787	05/04/81
898-5508	Ky	" " "	15-16115	07/28/87
898-5509	Ky	" " "	15-16115	07/28/87
898-5587	Ky	" " "	15-17249	06/29/92
898-5588	Ky	" " "	15-15912	
898-5602	Ky	" " "	15-11529	09/05/78
898-5603	Ky	" " "	15-12081	10/18/79
898-5604	Ky	" " "	15-10989	12/27/77
898-5605	Ky	" " "	15-16150	09/03/87
898-5606	Ky	" " "	15-13652	08/20/82
898-5607	Ky	" " "	15-03195	04/10/75

PERMIT NUMBER KY - 090

1.15 List all permit applications pending for surface coal mining operations in the United States owned or controlled by the applicant and/or any person identified in items 1.8, 1.9, 1.10, 1.11, 1.12, or 1.13.

Name of Applicant or Person: Scott Kiscaden

Applicant Branham & Baker Coal Company, Inc. Employer ID No. 61-0594344

Address 148 South Lake Drive

City Prestonsburg State Kentucky Zip 41653

APPLICATION NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
898-0303 Am. #1	KV	Department of Surface Mining Reclamation and Enforcement	Pending	Pending
898-5206 Am. #1	KV	" " " "	15-15123	03/20/85

Name of Applicant or Person: _____

Applicant _____ Employer ID No. _____

Address _____

City _____ State _____ Zip _____

APPLICATION NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED

EXHIBIT D

PERMIT NUMBER 898 - 5587

2.10 List all permits issued within the five (5) years preceding the date of this application for surface coal mining operations in the United States owned or controlled by the operator and/or any person identified in items 2.6, 2.7, 2.8, or 2.9:

Name of Operator or Person: Boyd Keith Vanhooser

Permittee Black Mountain Mining Company Employer ID No. 61-1211533
 Address P.O. Box 1409 154 College Street
 City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
120-1390	Va	Department for Surface Mining Reclamation and Enforcement	44-04593	02/07/92
807-5056	Va	" " "	15-16695	07/21/86

Name of Operator or Person: Boyd Keith Vanhooser

Permittee Black Dragon Mining Company Employer ID No. 61-1175888
 Address P.O. Box 1409 154 College Street
 City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
898-5556	Ky	Department for Surface Mining Reclamation and Enforcement	15-17091	09/29/92
898-5161	Ky	" " "	15-13906	05/14/85

PERMIT NUMBER 898 - 5587

2.10 (continued) page 2 of 3

Name of Operator or Person: Boyd Keith Vanhooser
K.T.K. Mining and
 Permittee Construction Company Employer ID No. 61-1093839
 Address P.O. Box 1409 154 College Street
 City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
880-5031	Ky	Department for Surface Mining Reclamation and Enforcement	15-15665	06/30/86
880-5064	Ky	" " "	15-16308	05/25/88
880-5074	Ky	" " "	15-16505	11/08/88
880-5042	Ky	" " "	15-16503	01/31/89
898-0180	Ky	" " "	15-15991	12/04/85

Name of Operator or Person: Boyd Keith Vanhooser
 Permittee Tennessee Construction Company Employer ID No. 61-1121352
 Address P.O. Box 1409 154 College Street
 City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
898-8043	Ky	Department for Surface Mining Reclamation and Enforcement	15-06733	10/19/89

PERMIT NUMBER 898-5480

2.10 (continued) page 3 of 3

Name of Operator or Person: Boyd Keith Vanhooser

Permittee Sidewinder Mining Company Employer ID No. 61-1166697

Address P.O. Box 1409 154 College Street

City Pikeville State Kentucky Zip 41501

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED
898-9054	Ky	Department for Surface Mining Reclamation and Enforcement	15-14468	07/13/87

Name of Operator or Person: _____

Permittee _____ Employer ID No. _____

Address _____

City _____ State _____ Zip _____

PERMIT NUMBER	STATE	REGULATORY AUTHORITY	MSHA NUMBER	DATE MSHA NO. ISSUED

EXHIBIT E

1.16 (continued)

- (b) Has the applicant been issued a notice of violation in connection with any surface coal mining and reclamation operation during the three (3) years preceding the date of this application for violation of SMCRA, KRS Chapter 350, any federal law, rule or regulation pertaining to air or water environmental protection, or any state law, rule or regulation enacted pursuant to federal law, rule or regulation pertaining to air or water environmental protection? YES NO. If YES, provide the following information:

Name to whom violation was issued Coal Preparation, Inc.
 Permit (or other identifying) No. 698-8040
 MSHA No. 15-06390 Date MSHA No. Issued 02/01/90
 Violation ID No. V90-101-0060
 Issuing regulatory authority Kentucky Department For Environmental Protection
 Date violation issued July 31, 1990
 Description of alleged violation 401 KAR 63:010 Sect 3 (1) F (Mud being tracked onto Rt. #1441 by coal trucks)
 Abatement actions taken Responded by cleaning up mud and follow-up letter explaining remedial measures. Abated.
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 813-7005
 MSHA No. Access Road Only Date MSHA No. Issued _____
 Violation ID No. 072782
 Issuing regulatory authority Kentucky Department of Surface Mining Reclamation & Enforcement
 Date violation issued August 1, 1990
 Description of alleged violation 405 KAR 16:030 (Perimeter Markers) - 405 KAR 16:220 (Roads) - 405 KAR 16:190 (Backfilling & Grading)
 Abatement actions taken Abated
 Date of abatement actions October 19, 1990
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Standard Elkhorn Minerals Corporation
 Permit (or other identifying) No. 498-5438
 MSHA No. 15-16678 Date MSHA No. Issued 07/31/89
 Violation ID No. 056241
 Issuing regulatory authority Kentucky Department of Surface Mining Reclamation & Enforcement
 Date violation issued August 16, 1990
 Description of alleged violation 405 KAR 8:010 (General Provisions)
Amendment needed to add area
 Abatement actions taken Abated
 Date of abatement actions October 22, 1990
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Standard Elkhorn Minerals Corporation
 Permit (or other identifying) No. 498-5438
 MSHA No. 15-16678 Date MSHA No. Issued 07/31/89
 Violation ID No. 056242
 Issuing regulatory authority Kentucky Department of Surface Mining Reclamation & Enforcement
 Date violation issued August 16, 1990
 Description of alleged violation 405 KAR 7:040 (General Provisions)
mined outside permit area
 Abatement actions taken Abated
 Date of abatement actions August 16, 1990
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued _____
 Permit (or other identifying) No. _____
 MSHA No. _____ Date MSHA No. Issued _____
 Violation ID No. _____
 Issuing regulatory authority _____
 Date violation issued _____
 Description of alleged violation _____
 Abatement actions taken _____
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Chloe Creek Development Corporation
 Permit (or other identifying) No. 898-5314
 MSHA No. 15-16238 Date MSHA No. Issued 11/12/87
 Violation ID No. 056246 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued September 25, 1990
 Description of alleged violation 405 KAR 18:080 (Diversion) diversion
ditches need correction
 Abatement actions taken Abated
 Date of abatement actions October 12, 1990
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Coal Preparation, Inc.
 Permit (or other identifying) No. 698-8040
 MSHA No. 15-06390 Date MSHA No. Issued 02/01/90
 Violation ID No. V90-101-0089 Kentucky Department
 Issuing regulatory authority Department for Environmental Protection
 Date violation issued October 24, 1990
 Description of alleged violation 401 KAR 63:010 Sect 3 (1) F (Tracking
mud onto Rt #1441 by coal trucks)
 Abatement actions taken Responded by action and follow-up letter explaining
remedial measures.
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 877-0024
 MSHA No. 15-16953 Date MSHA No. Issued 01/11/91
 Violation ID No. 072885 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued November 5, 1990
 Description of alleged violation 405 KAR 16:090 (Sealing & Casing)
pond construction
 Abatement actions taken Abated
 Date of abatement actions April 1, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Coal Preparation, Inc.
 Permit (or other identifying) No. 898-9010
 MSHA No. 15-06390 Date MSHA No. Issued 02/01/90
 Violation ID No. 056643 Kentucky Department
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued November 7, 1990
 Description of alleged violation 405 KAR 16:050 (TS) - 405 KAR 16:060 (HR)
- 405 KAR 16:140 (Disposal of Waste) stabilize topsoil seed and mulch
 Abatement actions taken Abated

Date of abatement actions December 3, 1990
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 813-0009
 MSHA No. 15-14107 Date MSHA No. Issued 06/27/83
 Violation ID No. 036751 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued November 28, 1990
 Description of alleged violation 405 KAR 16:190 repair reclaimed areas
gullies and rills
 Abatement actions taken Abated

Date of abatement actions February 14, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Coal Preparation, Inc.
 Permit (or other identifying) No. 698-8040
 MSHA No. 15-06390 Date MSHA No. Issued 02/01/90
 Violation ID No. 056663 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued November 28, 1990
 Description of alleged violation 405 KAR 18:230 (Roads) Maintain road
sump and control runoff
 Abatement actions taken Abated

Date of abatement actions December 3, 1990
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-5509
 MSHA No. 15-16115 Date MSHA No. Issued 07/28/87
 Violation ID No. 056511 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued December 3, 1990
 Description of alleged violation 405 KAR 18:070 (WQ) maintain water quality

Abatement actions taken Abated

Date of abatement actions December 10, 1990
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Coal Preparation, Inc.
 Permit (or other identifying) No. 698-8040
 MSHA No. 15-06390 Date MSHA No. Issued 02/01/90
 Violation ID No. 056681 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued December 3, 1990
 Description of alleged violation 405 KAR 18:230 (Roads) control road runoff

Abatement actions taken Abated

Date of abatement actions December 4, 1990
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0303
 MSHA No. 15-17008 Date MSHA No. Issued 01/02/91
 Violation ID No. 056708 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued December 18, 1990
 Description of alleged violation 405 KAR 16:120 (Use of Explosives)

improper use
 Abatement actions taken Abated

Date of abatement actions December 18, 1990
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ____ of ____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0303
 MSHA No. 15-17008 Date MSHA No. Issued 01/02/91
 Violation ID No. 056709 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued December 18, 1990
 Description of alleged violation 405 KAR 16:050 (TS) - 405 KAR 16:130
(Disposal of Excess Soil) - 405 KAR 16:030 (Signs & Markers) maintain
 Abatement actions taken Abated signs and markers, proper clearing and hollowf
construction
 Date of abatement actions January 4, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 836-0179
 MSHA No. 15-13962 Date MSHA No. Issued 02/08/90
 Violation ID No. 044799 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued December 20, 1990
 Description of alleged violation 405 KAR 8:010 (General Provisions)
amendment to cover additional area
 Abatement actions taken Abated
 Date of abatement actions January 24, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 813-0133
 MSHA No. 15-07782 Date MSHA No. Issued 02/28/89
 Violation ID No. 072908 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued January 3, 1991
 Description of alleged violation 405 KAR 16:190 (Backfilling & Grading) -
405 KAR 16:090 (Sedimentation Ponds) Slide correction and pond drains
 Abatement actions taken Abated
 Date of abatement actions March 20, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ____ of ____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 836-0179
 MSHA No. 15-13962 Date MSHA No. Issued 02/08/90
 Violation ID No. 044802 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued January 15, 1991
 Description of alleged violation 405 KAR 16:120 (Use of Explosives)
blasting after hours
 Abatement actions taken Abated
 Date of abatement actions January 15, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Coal Preparation, Inc.
 Permit (or other identifying) No. 898-9010
 MSHA No. 15-06390 Date MSHA No. Issued 02/01/90
 Violation ID No. 056805 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued January 16, 1991
 Description of alleged violation 405 KAR 20:060 (Steep Slopes)
stablize slide
 Abatement actions taken Abated
 Date of abatement actions May 14, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 877-0055
 MSHA No. 15-08909 Date MSHA No. Issued 06/09/88
 Violation ID No. 072964 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued January 31, 1991
 Description of alleged violation 405 KAR 7:040 (OD) - 405 KAR 16:090 (SC) -
405 KAR 16:190 (BC) disturbance outside permit, sediment control highwall
 Abatement actions taken Abated
 Date of abatement actions May 24, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

PERMIT NUMBER _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0303
 MSHA No. 15-17008 Date MSHA No. Issued 01/02/91
 Violation ID No. 056713 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued February 8, 1991
 Description of alleged violation 405 KAR 16:070 (Water Quality)
water quality
 Abatement actions taken Abated
 Date of abatement actions March 8, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Standard Elkhorn Minerals Corporation
 Permit (or other identifying) No. 498-5438
 MSHA No. 15-16678 Date MSHA No. Issued 07/31/89
 Violation ID No. 056808 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued February 14, 1991
 Description of alleged violation 405 KAR 20:060 (Slides) slide in permit area
 Abatement actions taken Abated slide stabilized
 Date of abatement actions March 14, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0303
 MSHA No. 15-17008 Date MSHA No. Issued 01/02/91
 Violation ID No. 056856 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued February 25, 1991
 Description of alleged violation 405 KAR 16:120 (Use of Explosives)
fly rock in area
 Abatement actions taken Abated
 Date of abatement actions February 25, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Coal Preparation, Inc.
 Permit (or other identifying) No. 698-8040
 MSHA No. 15-06390 Date MSHA No. Issued 02/01/90
 Violation ID No. _____ Kentucky
 Issuing regulatory authority Department for Environmental Protection
 Date violation issued February 25, 1991
 Description of alleged violation 401 KAR 5:031 / 401 KAR5:015 (1) Discharge of blackwater into Raccoon Creek (2) Failure to report a spill
 Abatement actions taken Agreed to and paid penalty of \$2,650.00
Abated.
 Date of abatement actions October 31, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 877-0055
 MSHA No. 15-08909 Date MSHA No. Issued 06/09/88
 Violation ID No. 072972 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued March 8, 1991
 Description of alleged violation 405 KAR 24:040 "Area of slide near cemetery"
 Abatement actions taken Abated
 Date of abatement actions March 8, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Standard Elkhorn Minerals Corporation
 Permit (or other identifying) No. 498-5446
 MSHA No. 15-16102 Date MSHA No. Issued 07/20/87
 Violation ID No. 056811 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued March 12, 1991
 Description of alleged violation 405 KAR 18:190 (Backfilling & Grading) slump in backfill
 Abatement actions taken Abated
 Date of abatement actions May 16, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Branham & Baker Coal Compsnv, Inc.
 Permit (or other identifying) No. 877-5016
 MSHA No. 15-08908 Date MSHA No. Issued 01/25/82
 Violation ID No. 073020 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued March 25, 1991
 Description of alleged violation 405 KAR 18:190 (Backfilling & Grading)
slumps in backfill
 Abatement actions taken Abated
 Date of abatement actions May 24, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0303
 MSHA No. 15-17008 Date MSHA No. Issued 01/02/91
 Violation ID No. 056861 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued March 26, 1991
 Description of alleged violation 405 KAR 16:070 (Water Quality) - 405 KAR
20:060 (Steep Slopes) - 405 KAR 20:050 (MR) brush disposal water quality
spoil on down slope
 Abatement actions taken Abated
 Date of abatement actions April 19, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 877-0018
 MSHA No. 15-08909 Date MSHA No. Issued 01/31/84
 Violation ID No. 073021 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued March 27, 1991
 Description of alleged violation 405 KAR 16:190 (Backfilling & Grading)
slumps in backfill
 Abatement actions taken Abated
 Date of abatement actions May 23, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

PERMIT NUMBER _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 477-5054
 MSHA No. 15-08909 Date MSHA No. Issued 01/27/84
 Violation ID No. 073023 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued March 28, 1991
 Description of alleged violation 405 KAR 18:190 (Backfilling & Grading)
slumps in backfill
 Abatement actions taken Abated
 Date of abatement actions May 29, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 836-0171
 MSHA No. 15-16154 Date MSHA No. Issued 05/15/87
 Violation ID No. 045126 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued March 29, 1991
 Description of alleged violation 405 KAR 7:040 (General Obligations) -
405 KAR 16:190 (Backfilling & Grading) revision for off-permit area-stabilize
slide area
 Abatement actions taken Abated
 Date of abatement actions June 27, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Coal Preparation, Inc.
 Permit (or other identifying) No. 898-9010
 MSHA No. 15-06390 Date MSHA No. Issued 02/01/90
 Violation ID No. 056974 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued April 18, 1991
 Description of alleged violation 405 KAR 20:060 (Slides) slides in permit area
 Abatement actions taken Abated
 Date of abatement actions May 3, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 436-5204
 MSHA No. 15-08909 Date MSHA No. Issued 01/27/84
 Violation ID No. 045008 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued April 19, 1991
 Description of alleged violation 405 KAR 18:230 (Roads) - 405 KAR 18:190
(Backfilling & Grading) - 405 KAR 18:200 (Revegetation) road maintenance grading
 Abatement actions taken Abated and seeding gully areas
 Date of abatement actions June 18, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 836-0162
 MSHA No. 15-13962 Date MSHA No. Issued 04/19/88
 Violation ID No. 045128 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued April 25, 1991
 Description of alleged violation 405 KAR 7:040 (General Obligations)
slide area revision to include in permit area
 Abatement actions taken Abated
 Date of abatement actions February 10, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0304
 MSHA No. 15-16940 Date MSHA No. Issued 08/30/90
 Violation ID No. 057028 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued April 25, 1991
 Description of alleged violation 405 KAR (TS) - 405 KAR 16:250 (CR) - 405 KAR
16:200 (Revegetation) - 405 KAR 16:090 (SC) - 405 KAR 16:080 (Diversions)
 Abatement actions taken Abated contemporeous reclamation seeding and
diversion ditches
 Date of abatement actions May 13, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 836-0162
 MSHA No. 15-13962 Date MSHA No. Issued 02/08/90
 Violation ID No. 045129 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued May 17, 1991
 Description of alleged violation 405 KAR 16:090 (Sedimentation Ponds)
maintain pond
 Abatement actions taken Abated
 Date of abatement actions May 28, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 836-0162
 MSHA No. 15-13962 Date MSHA No. Issued 02/08/90
 Violation ID No. 045130 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation And Enforcement
 Date violation issued May 31, 1991
 Description of alleged violation 405 KAR 16:080 (Diversions)
diversion ditch maintainance
 Abatement actions taken Abated
 Date of abatement actions June 12, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 836-0162
 MSHA No. 15-13962 Date MSHA No. Issued 02/08/90
 Violation ID No. 045131 Kentucky Department
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued June 3, 1991
 Description of alleged violation 405 KAR 7:040 (General Obligations) -
405 KAR 16:090 (Sedimentation Ponds) repair pond area
 Abatement actions taken Abated
 Date of abatement actions September 4, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 877-0014
 MSHA No. 15-08909 Date MSHA No. Issued 02/31/84
 Violation ID No. 073096 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued June 3, 1991
 Description of alleged violation 405 KAR 7:040 (OD)revision for off permit area
 Abatement actions taken Abated
 Date of abatement actions August 1, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Mordor Mining Corporation
 Permit (or other identifying) No. 898-5516
 MSHA No. 15-13906 Date MSHA No. Issued 01/27/83
 Violation ID No. 056984 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued June 4, 1991
 Description of alleged violation 405 KAR 18:080 (DV)repair diversion ditch
 Abatement actions taken Abated
 Date of abatement actions June 6, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 836-0162
 MSHA No. 15-13962 Date MSHA No. Issued 02/08/90
 Violation ID No. 045134 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued June 12, 1991
 Description of alleged violation 405 KAR 7:040 (General Obligations) slide area, stablize and revise permit
 Abatement actions taken Abated
 Date of abatement actions February 10, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-5509
 MSHA No. 15-16115 Date MSHA No. Issued 07/28/87
 Violation ID No. 057017 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued June 12, 1991
 Description of alleged violation 405 KAR 18:030 (S&M) - 405 KAR 18:230
(AC) - 405 KAR 18:090 (S&C) - 405 KAR 18:070 (WO) maintain access road
 Abatement actions taken Abated maintain pond area signs

 Date of abatement actions July 17, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 836-0162
 MSHA No. 15-13962 Date MSHA No. Issued 02/08/90
 Violation ID No. 045137 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued June 28, 1991
 Description of alleged violation: 405 KAR 7:040 (General Obligations) -
405 KAR 16:090 (Ponds) repair diversion ditches maintain pond
 Abatement actions taken Abated

 Date of abatement actions March 10, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Standard Elkhorn Minerals Corporation
 Permit (or other identifying) No. 498-5446
 MSHA No. 15-16102 Date MSHA No. Issued 07/20/87
 Violation ID No. 056979 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued July 1, 1991
 Description of alleged violation 405 KAR 18:190 (Backfilling & Grading)
backfill slump
 Abatement actions taken Abated

 Date of abatement actions September 3, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Beverly Mining Corporation
 Permit (or other identifying) No. 436-o007
 MSHA No. 15-11870 Date MSHA No. Issued 04/26/79
 Violation ID No. 045246 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued July 17, 1991
 Description of alleged violation 405 KAR 16:030 (S&M) - 405 KAR 16:220 (Roads)
- 405 KAR 16:190 (B&G) - 405 KAR 16:080 (D) topsoil identity, maintain road,
 Abatement actions taken Abated repair diversion ditch
 Date of abatement actions September 11, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 877-0055
 MSHA No. 15-08909 Date MSHA No. Issued 06/09/88
 Violation ID No. 073099 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued July 17, 1991
 Description of alleged violation 405 KAR 7:040 (OD) off permit disturbance
 Abatement actions taken Abated
 Date of abatement actions March 9, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Mordor Mining Corporation
 Permit (or other identifying) No. 898-5517
 MSHA No. 15-16857 Date MSHA No. Issued 04/05/90-
 Violation ID No. 056989 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued August 7, 1991
 Description of alleged violation 405 KAR 18:070 (WO) - 401 KAR 5:065 (WO)
maintain water quality
 Abatement actions taken Abated
 Date of abatement actions August 9, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ____ of ____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 098-0303
 MSHA No. 15-17008 Date MSHA No. Issued 01/02/91
 Violation ID No. 057019
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued August 27, 1991
 Description of alleged violation 405 KAR 16:120 (Use of Explosives)
Flyrock
 Abatement actions taken Abated
 Date of abatement actions August 29, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Chloe Creek Development Corporation
 Permit (or other identifying) No. 898-5314
 MSHA No. 15-16238 Date MSHA No. Issued 11/12/87
 Violation ID No. 056921 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued September 20, 1991
 Description of alleged violation 405 KAR 18:080 (Diversions) maintain
diversion ditch
 Abatement actions taken Abated
 Date of abatement actions October 2, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Beverly Mining Corporation
 Permit (or other identifying) No. 436-8007
 MSHA No. 15-11870 Date MSHA No. Issued 04/26/79
 Violation ID No. 045262 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued November 20, 1991
 Description of alleged violation 405 KAR 16:080 or 18:080 (Diversions)
maintain diversion ditch
 Abatement actions taken Abated
 Date of abatement actions March 6, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Panther Land Corporation
 Permit (or other identifying) No. 898-5480
 MSHA No. 15-17092 Date MSHA No. Issued 10/21/91
 Violation ID No. 058972 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued November 25, 1991
 Description of alleged violation 405 KAR 7:040 (OT) - 405 KAR 16:130 (DS)
revision for road location and spoil disposal
 Abatement actions taken Abated
 Date of abatement actions April 28, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0303
 MSHA No. 15-17008 Date MSHA No. Issued 01/02/91
 Violation ID No. 058886 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued December 3, 1991
 Description of alleged violation 405 KAR 7:040 clean debris from pond overflow
 Abatement actions taken Abated
 Date of abatement actions December 16, 1991
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 836-0023
 MSHA No. Hollow Fill Only Date MSHA No. Issued _____
 Violation ID No. 045831 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued December 12, 1991
 Description of alleged violation 405 KAR 16:190 (Backfilling & Grading) -
405 KAR 7:040 (OD) clean stream area, stabilize drain
 Abatement actions taken Abated
 Date of abatement actions January 31, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

16(b) (continued) page ____ of ____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0303
 MSHA No. 15-17008 Date MSHA No. Issued 01/02/91
 Violation ID No. 058977 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued December 16, 1991
 Description of alleged violation 405 KAR 16:030 (S&M) - 405 KAR 16:050 (TN)
405 KAR 20:050 (MR) perimeter markers, remove timber, store topsoil
 Abatement actions taken Abated
 Date of abatement actions January 21, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0303
 MSHA No. 15-17008 Date MSHA No. Issued 01/02/91
 Violation ID No. 058978 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued December 16, 1991
 Description of alleged violation 405 KAR 7:040 (OD) permit revision for
off-permit disturbance
 Abatement actions taken Abated
 Date of abatement actions March 16, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued _____
 Permit (or other identifying) No. _____
 MSHA No. _____ Date MSHA No. Issued _____
 Violation ID No. _____
 Issuing regulatory authority _____
 Date violation issued _____
 Description of alleged violation _____
405 KAR 18:040 (DH)
 Abatement actions taken _____
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

16(b) (continued) page ___ of ___

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 877-0055
 MSHA No. 15-08909 Date MSHA No. Issued 01/25/82
 Violation ID No. 074175 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued December 19, 1991
 Description of alleged violation 405 KAR 16:190 (BG) - 405 KAR 16:220 (AC)
clean access road of slide material and seed
 Abatement actions taken Abated
 Date of abatement actions January 31, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 836-0162
 MSHA No. 15-13962 Date MSHA No. Issued 04/19/88
 Violation ID No. 045832 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued December 31, 1991
 Description of alleged violation 405 KAR 16:090 (SC) - 405 KAR 16:190 (BG)
gullies at ponds-slumps in filled area
 Abatement actions taken Abated
 Date of abatement actions January 29, 1993
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued _____
 Permit (or other identifying) No. _____
 MSHA No. _____ Date MSHA No. Issued _____
 Violation ID No. _____
 Issuing regulatory authority _____
 Date violation issued _____
 Description of alleged violation _____
 Abatement actions taken _____
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued _____
 Permit (or other identifying) No. _____
 MSHA No. _____ Date MSHA No. Issued _____
 Violation ID No. _____
 Issuing regulatory authority _____
 Date violation issued _____
 Description of alleged violation _____
 Abatement actions taken _____
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Standard Elkhorn Minerals Corporation
 Permit (or other identifying) No. 498-5446
 MSHA No. 15-16102 Date MSHA No. Issued 07/20/87
 Violation ID No. 058905 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued January 9, 1992
 Description of alleged violation 405 KAR 18:190 (B&G) slump in backfill
 Abatement actions taken Abated
 Date of abatement actions January 9, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Coal Preparation, Inc.
 Permit (or other identifying) No. 698-8040
 MSHA No. 15-06390 Date MSHA No. Issued 02/01/90
 Violation ID No. 058906 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued January 9, 1992
 Description of alleged violation 405 KAR 7:040 (OT) mud on road
 Abatement actions taken Abated
 Date of abatement actions January 14, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

16(b) (continued) page ____ of ____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 877-0024
 MSHA No. 15-16953 Date MSHA No. Issued 01/11/91
 Violation ID No. 074177 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued January 14, 1992
 Description of alleged violation 405 KAR 16:190 or 18:190 (B&G) - 405 KAR
16:140 or 18:140 (DC) Mid term modifications
 Abatement actions taken Abated
 Date of abatement actions February 10, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Beverly Mining Corporation
 Permit (or other identifying) No. 436-8007
 MSHA No. 15-11870 Date MSHA No. Issued 04/26/79
 Violation ID No. 045852 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued January 22, 1992
 Description of alleged violation 405 KAR 16:190 or 18:190 (B&G) -
405 KAR 16:140 or 18:140 (DC) stabilize gullies seed and mulch
 Abatement actions taken Abated
 Date of abatement actions March 6, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Beverly Mining Corporation
 Permit (or other identifying) No. 436-8005
 MSHA No. 15-11870 Date MSHA No. Issued 04/26/79
 Violation ID No. 045853 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued January 24, 1992
 Description of alleged violation 405 KAR 16:070 or 5:015 (WO)
pond water quality
 Abatement actions taken Abated
 Date of abatement actions January 28, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Panther Land Corporation
 Permit (or other identifying) No. 398-3470
 MSHA No. 15-17092 Date MSHA No. Issued 10/21/01
 Violation ID No. 059053 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued March 18, 1992
 Description of alleged violation 405 KAR 18:070 (WO) maintain water flow as planned
 Abatement actions taken Abated
 Date of abatement actions April 3, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued _____
 Permit (or other identifying) No. _____
 MSHA No. _____ Date MSHA No. Issued _____
 Violation ID No. _____
 Issuing regulatory authority _____
 Date violation issued _____
 Description of alleged violation _____
 Abatement actions taken _____
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Beverly Mining Corporation
 Permit (or other identifying) No. 436-8005
 MSHA No. 15-11870 Date MSHA No. Issued 04/26/79
 Violation ID No. 045858 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued March 18, 1992
 Description of alleged violation 405 KAR 16:060 (HR) - 405 KAR 16:030 (SM) - 405 KAR 16:220 (AC) - 405 KAR 8:010 (OT) - 405 KAR 16:090 (SC) post signs, buffer zone, clean ditches, hollowfill grading and road surface
 Abatement actions taken Abated
 Date of abatement actions May 19, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

16(b) (continued) page ___ of ___

Name to whom violation was issued _____
 Permit (or other identifying) No. _____
 MSHA No. _____ Date MSHA No. Issued _____
 Violation ID No. _____
 Issuing regulatory authority _____
 Date violation issued _____
 Description of alleged violation _____

Abatement actions taken _____
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Chloe Creek Development Corporation
 Permit (or other identifying) No. 898-5314
 MSHA No. 15-16238 Date MSHA No. Issued 11/12/87
 Violation ID No. 059099 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued March 20, 1992
 Description of alleged violation. 405 KAR 18:080 (DV) Diversion ditches

Abatement actions taken Abated
 Date of abatement actions April 17, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Panther Land Corporation
 Permit (or other identifying) No. 898-5480
 MSHA No. 15-17092 Date MSHA No. Issued 10/21/91
 Violation ID No. 059132 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued March 26, 1992
 Description of alleged violation 405 KAR 16:090 (SC) remove slide
stabalize and clean pond

Abatement actions taken Abated
 Date of abatement actions May 28, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ____ of ____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 436-5118
 MSEA No. 15-08909 Date MSHA No. Issued 01/27/84
 Violation ID No. 045880 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued March 25, 1992
 Description of alleged violation 405 KAR 18:030 (SM) - 405 KAR 18:190 (BG)
- 405 KAR 18:200 (RV) Boundary markers, gullies seeding
 Abatement actions taken Abated
 Date of abatement actions April 28, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 436-5204
 MSHA No. 15-13995 Date MSHA No. Issued 04/06/83
 Violation ID No. 045881 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued March 27, 1992
 Description of alleged violation 405 KAR 18:190 (B&G) - 405 KAR 18:200 (RV)
slump in backfill, gullies in slide area
 Abatement actions taken Abated
 Date of abatement actions April 24, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued _____
 Permit (or other identifying) No. _____
 MSHA No. _____ Date MSHA No. Issued _____
 Violation ID No. _____
 Issuing regulatory authority _____
 Date violation issued _____
 Description of alleged violation _____
 Abatement actions taken _____
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

16(b) (continued) page ____ of ____

Name to whom violation was issued Brannam & Baker Coal Company, Inc
 Permit (or other identifying) No. 836-0162
 MSHA No. 15-13962 Date MSHA No. Issued 04/19/88
 Violation ID No. 046248 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued March 31, 1992
 Description of alleged violation 405 KAR 16:190 (B&G) - 405 KAR 7:040 (OD)
- 405 KAR 16:080 (DV) highwall exposed slide area-diversion ditch revision
 Abatement actions taken Abated for slide area

 Date of abatement actions February 4, 1993
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Brannam & Baker Coal Company, Inc.
 Permit (or other identifying) No. 836-0179
 MSHA No. 15-13962 Date MSHA No. Issued 04/19/88
 Violation ID No. 046250 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued March 31, 1992
 Description of alleged violation 405 KAR 7:040 (OD) - 405 KAR 16:190 (B&G)
off-permit disturbance, slide area
 Abatement actions taken Abated

 Date of abatement actions May 18, 1993
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued _____
 Permit (or other identifying) No. _____
 MSHA No. _____ Date MSHA No. Issued _____
 Violation ID No. _____
 Issuing regulatory authority _____
 Date violation issued _____
 Description of alleged violation _____

 Abatement actions taken _____

 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

(b) (continued) page ____ of ____

Name to whom violation was issued _____
 Permit (or other identifying) No. _____
 MSHA No. _____ Date MSHA No. Issued _____
 Violation ID No. _____
 Issuing regulatory authority _____
 Date violation issued _____
 Description of alleged violation _____
 Abatement actions taken _____

Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 836-0179
 MSHA No. 15-13962 Date MSHA No. Issued 02/08/90
 Violation ID No. 046251 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued April 29, 1992
 Description of alleged violation 405 KAR 8:010 (OD) - 405 KAR 24:040 (Areas
unsuitable for mining) - revise permit cemetery area
 Abatement actions taken Abated

Date of abatement actions December 21, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued _____
 Permit (or other identifying) No. _____
 MSHA No. _____ Date MSHA No. Issued _____
 Violation ID No. _____
 Issuing regulatory authority _____
 Date violation issued _____
 Description of alleged violation _____
 Abatement actions taken _____

Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Panther Land Corporation
 Permit (or other identifying) No. 898-5480
 MSHA No. 15-17092 Date MSHA No. Issued 10/21/91
 Violation ID No. 059000 Kentucky Department Of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued June 15, 1992
 Description of alleged violation 405 KAR 18:070 (WQ)-405 KAR 18:230 (AC)
water overflow, maintain access road
 Abatement actions taken Abated
 Date of abatement actions June 25, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued _____
 Permit (or other identifying) No. _____
 MSHA No. _____ Date MSHA No. Issued _____
 Violation ID No. _____
 Issuing regulatory authority _____
 Date violation issued _____
 Description of alleged violation _____
 Abatement actions taken _____
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued _____
 Permit (or other identifying) No. _____
 MSHA No. _____ Date MSHA No. Issued _____
 Violation ID No. _____
 Issuing regulatory authority _____
 Date violation issued _____
 Description of alleged violation _____
 Abatement actions taken _____
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0303
 MSHA No. 15-17008 Date MSHA No. Issued 01/02/91
 Violation ID No. 059161 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued June 15, 1992
 Description of alleged violation 405 KAR 7:040 (OD) Boulder off permit
 Abatement actions taken Abated
 Date of abatement actions June 17, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued _____
 Permit (or other identifying) No. _____
 MSHA No. _____ Date MSHA No. Issued _____
 Violation ID No. _____
 Issuing regulatory authority _____
 Date violation issued _____
 Description of alleged violation _____
 Abatement actions taken _____
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Coal Preparation, Inc.
 Permit (or other identifying) No. 898-9010
 MSHA No. 15-06390 Date MSHA No. Issued 02/01/90
 Violation ID No. 059277 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued July 8, 1992
 Description of alleged violation 405 KAR 16:080 (DV) maintain diversion ditch
 Abatement actions taken Abated
 Date of abatement actions September 11, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0303
 MSHA No. 15-17008 Date MSHA No. Issued 01/02/91
 Violation ID No. 059386 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued July 9, 1992
 Description of alleged violation 405 KAR 16:090 (SC) - 405 KAR 16:070 (WQ) -
405 KAR 7:040 (OD) - (Deleted by modification July 15, 1992)
 Abatement actions taken Abated

Date of abatement actions August 27, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued _____
 Permit (or other identifying) No. _____
 MSHA No. _____ Date MSHA No. Issued _____
 Violation ID No. _____
 Issuing regulatory authority _____
 Date violation issued _____
 Description of alleged violation -
 Abatement actions taken _____

Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Standard Elkhorn Minerals Corporation
 Permit (or other identifying) No. 498-5438
 MSHA No. 15-16678 Date MSHA No. Issued 07/31/89
 Violation ID No. 059278 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued July 22, 1992
 Description of alleged violation 405 KAR 18:210 (OT) subsidence problems
 Abatement actions taken Abated

Date of abatement actions December 21, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ____ of ____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0303
 MSHA No. 15-17008 Date MSHA No. Issued 01/02/91
 Violation ID No. 059335 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued August 17, 1992
 Description of alleged violation 405 KAR 16:090 (SC) clean silt pond

Abatement actions taken Abated

Date of abatement actions August 24, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 813-0149
 MSHA No. 15-07782 Date MSHA No. Issued 03/30/89
 Violation ID No. 074223 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued August 25, 1992
 Description of alleged violation 405 KAR 16:090 (SC) silt control on pond removal

Abatement actions taken Abated

Date of abatement actions September 8, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0350
 MSHA No. 15-17249 Date MSHA No. Issued 06/19/92
 Violation ID No. 059256 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued September 2, 1992
 Description of alleged violation 405 KAR 7:040 (OD) boulder off permit

Abatement actions taken Abated

Date of abatement actions September 8, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Jackal Mining Company
 Permit (or other identifying) No. 898-5497
 MSHA No. 15-16993 Date MSHA No. Issued 10/16/90
 Violation ID No. 059257 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued September 9, 1992
 Description of alleged violation 405 KAR 18:090 (SC) - 405 KAR 8:010 (OM)
remove non-approved ponds
 Abatement actions taken Abated

Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0303
 MSHA No. 15-17008 Date MSHA No. Issued 01/02/91
 Violation ID No. 059396 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued September 16, 1992
 Description of alleged violation 405 KAR 16:120 (UE) revise blasting plan
remove rocks
 Abatement actions taken Abated

Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 836-0179
 MSHA No. 15-13962 Date MSHA No. Issued 04/19/88
 Violation ID No. 046254 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued November 18, 1992
 Description of alleged violation 405 KAR 7:040 (OD) cemetery revision
 Abatement actions taken Abated

Date of abatement actions December 21, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Branham & Baker Coal Company., Inc.
 Permit (or other identifying) No. 836-0179
 MSHA No. 15-13962 Date MSHA No. Issued 04/19/88
 Violation ID No. 046254 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued November 18, 1992
 Description of alleged violation 405 KAR 7:040 (OD) slide area
 Abatement actions taken Abated
 Date of abatement actions December 21, 1992
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Beverly Mining Corporation
 Permit (or other identifying) No. 436-8007
 MSHA No. 15-11870 Date MSHA No. Issued 04/26/79
 Violation ID No. 046318 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued 11/19/92
 Description of alleged violation 405 KAR 16:190 (BG) slump in backfill
 Abatement actions taken Abated
 Date of abatement actions January 28, 1993
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898 - 0303
 MSHA No. 15-17008 Date MSHA No. Issued 01/02/91 -
 Violation ID No. 059337 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued December 2, 1992
 Description of alleged violation 405 KAR 7:040 (OD) revision to add extra area
 Abatement actions taken Abated
 Date of abatement actions April 20, 1993
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ____ of ____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0350
 MSHA No. 15-17249 Date MSHA No. Issued 06/19/92
 Violation ID No. 059481 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued December 16, 1992
 Description of alleged violation 405 KAR 16:220 (AC) - 405 KAR 16:130 (DS) -
405 KAR 16:060 (HR) - 405 KAR 20:060 (SS) - 405 KAR 16:010 (OT) road revision
 Abatement actions taken Abated timber disposal, drainage slide ar
barrier maintance
 Date of abatement actions July 23, 1993
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Panther Land Corporation
 Permit (or other identifying) No. 898-5480
 MSHA No. 15-17190 Date MSHA No. Issued 05/18/92
 Violation ID No. 059409 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued January 14, 1993
 Description of alleged violation 405 KAR 18:070 (WO) maintain water quality
 Abatement actions taken Abated
 Date of abatement actions January 14, 1993
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued _____
 Permit (or other identifying) No. _____
 MSHA No. _____ Date MSHA No. Issued _____
 Violation ID No. _____
 Issuing regulatory authority _____
 Date violation issued _____
 Description of alleged violation _____
 Abatement actions taken _____
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1:16(b) (continued) page ___ of ___

Name to whom violation was issued Standard Elkhorn Minerals Corp.
 Permit (or other identifying) No. 498-5438
 MSHA No. 15-16678 Date MSHA No. Issued 07/31/89
 Violation ID No. 059418 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued March 12, 1993
 Description of alleged violation 405 KAR 18:210 (OT) subsidence on area

Abatement actions taken Abated

Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 877-0078
 MSHA No. 15-08909 Date MSHA No. Issued 02/02/88
 Violation ID No. 074289 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued April 1, 1993
 Description of alleged violation 405 KAR 16:130 (DS) hollowfill construction

Abatement actions taken Abated

Date of abatement actions April 29, 1993
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 877-0078
 MSHA No. 15-08909 Date MSHA No. Issued 02/02/88
 Violation ID No. 074290 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued April 1, 1993
 Description of alleged violation 405 KAR 16:090 (SC) - 405 KAR 8:010 (OM)
 pond construction method of operation

Abatement actions taken Abated

Date of abatement actions April 29, 1993
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Standard Elkhorn Mining Corporation
 Permit (or other identifying) No. 498-5438
 MSHA No. 15-16678 Date MSHA No. Issued 07/31/89
 Violation ID No. 057311 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued April 5, 1993
 Description of alleged violation 405 KAR 18:060-(HR) - 405 KAR 7:040 (OD)
water discharge
 Abatement actions taken Pending -- revision required for abatement
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 836-0162
 MSHA No. 15-13962 Date MSHA No. Issued 04/19/88
 Violation ID No. 046279 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued April 6, 1993
 Description of alleged violation 405 KAR 7:040 (OD) - 405 KAR 16:090 (SC)
slide area revision to include slide area
 Abatement actions taken Abated
 Date of abatement actions April 15, 1993
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc. /
Opportunity Coal Co., Inc.
 Permit (or other identifying) No. 877-0024
 MSHA No. 15-16953 Date MSHA No. Issued 01/11/91
 Violation ID No. 074360 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued April 8, 1993
 Description of alleged violation 405 KAR 16:190 (BG) gully elimination
 Abatement actions taken Abated
 Date of abatement actions June 8, 1993
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Standard Elkhorn Mining Corporation
 Permit (or other identifying) No. 498-5438
 MSHA No. 15-16678 Date MSHA No. Issued 07/31/89
 Violation ID No. 057435 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued May 12, 1993
 Description of alleged violation 405 KAR 18:020 (CR) reclamation time
Failure to reclaim within timeframe
 Abatement actions taken Abated
August 1, 1993
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-9062
 MSHA No. 15-12177 Date MSHA No. Issued 12/13/79
 Violation ID No. 057375 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued April 30, 1993
 Description of alleged violation 405 KAR 7:040 (MT) mid-term review informati
 Abatement actions taken Abated
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Mordor Mining, Inc. /
Black Dragon Mining Co.
 Permit (or other identifying) No. 898-5516
 MSHA No. 15-13906 Date MSHA No. Issued 01/27/83
 Violation ID No. 057449 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued June 7, 1993
 Description of alleged violation 405 KAR 18:230 (AC) Road Work & off permit
 Abatement actions taken Pending -- revision required for abatement
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ____ of ____

Name to whom violation was issued Mordor Mining, Inc. /
Black Dragon Mining Co.
 Permit (or other identifying) No. 898-5517
 MSHA No. 15-16857 Date MSHA No. Issued 04/05/90
 Violation ID No. 057450 Kentucky Department of
Surface Mining Reclamation and Enforcement
 Issuing regulatory authority
 Date violation issued June 7, 1993
 Description of alleged violation 405 KAR 18:090 (SC) clean pond
 Abatement actions taken Abated
 Date of abatement actions July 3, 1993
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 436-5206
 MSHA No. 15-15123 Date MSHA No. Issued 03/20/85
 Violation ID No. 046280 Kentucky Department of
Surface Mining Reclamation and Enforcement
 Issuing regulatory authority
 Date violation issued June 21, 1993
 Description of alleged violation 405 KAR 7:040 (OD) slide area revision
 Abatement actions taken Pending -- amendment submitted for slide area
 Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0351
 MSHA No. 15-17008 Date MSHA No. Issued 01/02/91
 Violation ID No. 057476 Kentucky Department of
Surface Mining Reclamation and Enforcement
 Issuing regulatory authority
 Date violation issued June 23, 1993
 Description of alleged violation 405 KAR 8:010 (OM) pond construction
 Abatement actions taken Abated
 Date of abatement actions June 24, 1993
 Type of proceedings (Administrative or Judicial) Administrative
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

1.16(b) (continued) page ___ of ___

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 898-0303
 MSHA No. 15-17008 Date MSHA No. Issued 01/02/91
 Violation ID No. 057477 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued June 23, 1993
 Description of alleged violation 405 KAR 7:040 (OD) off-permit disturbance
Pending

Abatement actions taken Revision submitted must be approved before can be abated.

Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Branham & Baker Coal Company, Inc.
 Permit (or other identifying) No. 836-0171
 MSHA No. 15-16154 Date MSHA No. Issued 05/15/87
 Violation ID No. 046283 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued June 29, 1993
 Description of alleged violation 405 KAR 7:040 (OD) - 405 KAR 16:190 (BG)
Slide area revision

Abatement actions taken Abated

Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

Name to whom violation was issued Standard Elkhorn Minerals Corporation
 Permit (or other identifying) No. 498-5438
 MSHA No. 15-16678 Date MSHA No. Issued 07/31/89
 Violation ID No. 057537 Kentucky Department of
 Issuing regulatory authority Surface Mining Reclamation and Enforcement
 Date violation issued July 26, 1993 subsidence
 Description of alleged violation 405 KAR 8:010 (CM) over mining

Abatement actions taken Abated

Date of abatement actions _____
 Type of proceedings (Administrative or Judicial) _____
 Date of proceedings _____
 Status of proceedings _____
 Location of proceedings _____

EXHIBIT F

ASSIGNMENT

THIS ASSIGNMENT is made as of the 16 day of September, 1993 by KANAWHA AND HOCKING COAL AND COKE COMPANY, a West Virginia corporation, having an address c/o The Valley Camp Coal Company, 206 Seneca Street, P.O. Box 900, Oil City, PA 16301, and VALLEY CAMP OF UTAH, INC., a Utah corporation, having an address c/o The Valley Camp Coal Company, 206 Seneca Street, P.O. Box 900, Oil City, PA 16301 (together, "Sellers").

RECITALS:

WHEREAS, by Asset Purchase Agreement dated as of September 16, 1993 (the "Agreement") by and between Sellers and WHITE OAK MINING & CONSTRUCTION CO., INC., ("Buyer"), Sellers agree to sell, convey, transfer and deliver to Buyer at the Closing under the Agreement, certain assets of Sellers relating to the Belina Mine in consideration of the payment of the purchase price. All capitalized terms used herein without definition shall have the meaning assigned to them in the Agreement.

ASSIGNMENT:

NOW, THEREFORE, in consideration of the premises and in connection with the actions required of Sellers and Buyer under the Agreement, Sellers hereby assign to Buyer:

1. Contract Assignment. All of Sellers' right, title and interest in, to and under the Material Contracts listed on Schedule 2 to the Agreement as well as all other contracts relating to the Purchased Assets of which Buyer receives the benefit (the "Contracts").

2. Permit Assignment. All of Sellers' right, title and interest in, to and under the Permits listed on Schedule 4 to the Agreement as well as all other permits relating to the Purchased Assets of which Buyer receives the benefit (the "Permits").

Sellers covenant and warrant that: (1) the Contracts are valid and in good standing and there are no material defaults thereunder; (2) the Permits are valid and in full force and effect; and (3) Sellers' Operations are in compliance with the Permits, except only such violations and instances of non-compliance as, separately and in the aggregate, are not material to the operation or the value of the Purchased Assets.

This Assignment does not supersede or waive any contractual remedy between Sellers and Buyer. Such remedies are in addition to and are not merged into this instrument. This assignment shall bind the legal representatives, successors and permitted assigns of the Sellers.

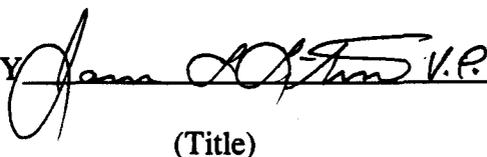
Sellers shall, in addition to this instrument, execute such additional document or documents are necessary to complete the assignment of the Contracts and Permits in accordance with applicable federal, state and local laws or regulations.

IN WITNESS WHEREOF, Sellers have executed this Assignment as of this date first written above.

KANAWHA AND HOCKING COAL
AND COKE COMPANY

BY  _____
(Title)

VALLEY CAMP OF UTAH, INC.

BY  _____
(Title)

SCHEDULE 2

2.1 MATERIAL CONTRACTS

1. Agreement dated March 25, 1976 between Board of Education of Alpine School District and Valley Camp of Utah, Inc. relating to the purchase of a culinary water supply.

2. Road Maintenance Agreement dated January 10, 1980 between Carbon County and Valley Camp of Utah, Inc. relating to 13.8 miles of public road, more particularly described as follows:

Beginning at a point approximately 7.5 miles northeast of Fairview, Utah, as a junction with SR-31 in Sanpete County, and extending easterly approximately 4.9 miles in Sanpete County via Flat Canyon to the Emery County line, thence extending for a distance of approximately 4.1 miles in Emery County easterly via Flat Canyon and continuing northerly via Huntington Canyon and continuing easterly to the Carbon County line above Eccles Canyon, thence extending easterly approximately 4.9 miles in Carbon County via Eccles Canyon to a junction with SR-96.

3. Road Maintenance Agreement dated January 9, 1980 between Sanpete County and Valley Camp of Utah, Inc. relating to 13.8 miles of public road, more particularly described as follows:

Beginning at a point approximately 7.5 miles northeast of Fairview, Utah, at a junction with SR-31 in Sanpete County, and extending easterly approximately 4.9 miles in Sanpete County via Flat Canyon to the Emery County line, thence extending for a distance of approximately 4.1 miles in Emery County easterly via Flat Canyon and continuing northerly via Huntington Canyon and continuing easterly to the Carbon County line above Eccles Canyon, thence extending easterly approximately 4.9 miles in Carbon County via Eccles Canyon to a junction with SR-96.

4. Road Maintenance Agreement dated January 1980, between Emery County and Valley Camp of Utah, Inc. relating to 13.8 miles of public road, more particularly described as follows:

Beginning at a point approximately 7.5 miles northeast of Fairview, Utah, at a junction with SR-31 in Sanpete County,

and extending easterly approximately 4.9 miles in Sanpete County via Flat Canyon to the Emery County line, thence extending for a distance of approximately 4.1 miles in Emery County easterly via Flat Canyon and continuing northerly via Huntington Canyon and continuing easterly to the Carbon County line above Eccles Canyon, thence extending easterly approximately 4.9 miles in Carbon County via Eccles Canyon to a junction with SR-96.

5. Trackage Agreement dated March 20, 1975 between The Denver and Rio Grande Western Railroad Company, and Valley Camp of Utah, Inc.

6. Exchange Agreement dated September 15, 1975 between Valley Camp of Utah, Inc. and Energy Fuels Corporation joined into and consented to by Kanawha and Hocking Coal and Coke Company and Routt County Development, Ltd.

7. Equipment Lease (W-1238) naming Capital Associates International, Inc. as Lessor, and Valley Camp of Utah as Lessee, relating to three EIMCO Model 48C shuttle cars identified as Serial Nos. 70440047, 70440048 and 70440049. The Lease is dated October 23, 1990 and has an expiration date of October 31, 1995.

8. AT&T Contract dated November, 1992 for a three-year term.

9. Assignment of Kanawha and Hocking Sublease dated October 14, 1975 between Valley Camp of Utah, Inc., Assignor, and Energy Fuels Corporation, Assignee, affecting the following lands:

Township 13 South, Range 6 East, SLM

Section 13: Lots 1, 2, 3, 4, 5, 6, 8

Section 14: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$

Section 24: W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

10. "Letter of Understanding" dated September 25, 1981 by and among Valley Camp of Utah, Inc., Kanawha and Hocking Coal and Coke Company, Nick K. Marakis and Koula Marakis, Helen Lumby, Coastal States Energy Company, Getty Mineral Resources Company, and The Denver and Rio Grande Western Railroad Company.

11. Pleasant Valley Agreement dated July 24, 1981 between Kanawha & Hocking Coal and Coke Company, Valley Camp of Utah, Inc., and Coastal

States Energy Company, relating to the construction, operation and maintenance of railroad trackage and the alignment and realignment of rights of way.

12. Letter Agreement dated September 13, 1976 between Kanawha and Hocking Coal and Coke Company and Valley Camp of Utah, Inc. and subsequent Easement Agreement dated September 17, 1976 between Valley Camp of Utah, Inc. and Energy Fuels Corporation covering the lands subject to the Lease and Easement Agreement dated August 6, 1976 described in Schedule 5, A.III.

13. Assignment of Routt County Sublease dated January 5, 1978 from Valley Camp of Utah, Inc. to Kanawha and Hocking Coal and Coke Company, affecting the following lands:

Township 13 South, Range 6 East, SLM

Section 24: S $\frac{1}{2}$

Section 25: Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ (All)

Section 35: Lots 6 and 7, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ (E $\frac{1}{2}$)

14. By letter dated October 25, 1991, Valley Camp of Utah, Inc., as operator, made application to the Moab District Office, Bureau of Land Management, for the approval of a logical mining unit. This LMU Application includes the following Federal Leases:

- a. Federal Coal Lease No. U-017354;
- b. Federal Coal Lease No. U-020305;
- c. Federal Coal Lease No. U-067498;
- d. Federal Coal Lease No. U-47974;
- e. Federal Coal Lease No. U-47975.

The LMU area includes four mines:

- a. Belina #1 (upper O'Connor bed);
- b. Belina #2 (lower O'Connor bed);
- c. Utah #2; and

d. Proposed Utah #3 Mine (both upper and lower O'Connor beds).

The Bureau of Land Management has not taken action with respect to the LMU Application at this time.

SCHEDULE 4

PERMITS

A. KANAWHA AND HOCKING COAL AND COKE COMPANY

1. By letter dated October 25, 1991, Valley Camp of Utah, Inc., as operator, made application to the Moab District Office, Bureau of Land Management, for the approval of a logical mining unit. This LMU Application includes the following Federal Leases:

- a. Federal Coal Lease No. U-017354;
- b. Federal Coal Lease No. U-020305;
- c. Federal Coal Lease No. U-067498;
- d. Federal Coal Lease No. U-47974;
- e. Federal Coal Lease No. U-47975.

The LMU area includes four mines:

- a. Belina #1 (upper O'Connor bed);
- b. Belina #2 (lower O'Connor bed);
- c. Utah #2; and
- d. Proposed Utah #3 Mine (both upper and lower O'Connor beds).

The Bureau of Land Management has not taken action with respect to the LMU Application at this time.

The failure to approve the LMU Application could have a negative impact on the interest of Kanawha and Hocking Coal and Coke Company in some of the above-described leases.

B. VALLEY CAMP OF UTAH, INC.

PERMIT DESCRIPTION

1. **5 Year Permit Renewal
Valley Camp of Utah, Inc.
Belina Complex, ACT/007/001
Expires August 24, 1994**
2. **UPDES Permit No. UT0022985
Expires August 31, 1997**
3. **Roof Control Plan
Belina No. 2 Mine & Loadout Facility
ID No. 42-01280
Approved April 22, 1993**
4. **Roof Control Plan
Belina No. 1 Mine
ID No. 42-01279
Approved December 21, 1988
Extended to September 24, 1993**
5. **Ventilation System and Methane and Dust Control Plan
Belina No. 2 Mine
ID No. 41-01280
Approved May 6, 1991/resubmitted September 14, 1993**
6. **Spill Prevention Control and Countermeasure Plan
1990 PAP Submitted to and approved by UDOGM
(Contained within the PAP.)**
7. **Surface Disturbance and Reclamation Plan
U.S. Forest Service Consent to the Operating Plan
Approved March 7, 1984**
8. **Explosives (Storage and Usage)
W. H. Burt Explosives allows us to purchase under their permit.
The originator of Employer ID Number unknown and that Utah does
not require a storage and usage permit at this point in time as per the
telephone conversation between Ed Foust and Burt Explosives on
8/30/93.**

9. **Microwave Radio Station License**
Expires June 15, 1994
10. **Radio Station License**
KBL 854
Expired November 17, 1992
(Not renewed but still occasional use.)
11. **Training Plan (Pending)**
Submitted to MSHA August 1, 1993
12. **Fire Fighting and Evacuation Plan**
Approved November 25, 1992
13. **Self-Contained, Self-Rescue Storage Plan**
Approved October 8, 1987
14. **Smoking Prohibition Plan**
Approved June 29, 1987
15. **Fan Stoppage Plan**
Approved April 8, 1988
16. **Bathhouse Facilities**
Approved June 25, 1987
17. **Emergency Medical Assistance Arrangements**
Approved June 23, 1987
18. **Cleanup Program**
Approved June 23, 1987
19. **Availability of Mine Rescue Teams**
Approved June 29, 1993
20. **Permit to Use Diesel Equipment Underground**
Industrial Commission of Utah
(Foam Generator Trailer)
Approved April 3, 1987
21. **Utah No. 3 Mine Resource Recovery and Protection Plans**
Submitted to the Bureau of Land Management November 29, 1984.
Acceptance of submittal received March 22, 1985.

WHEN RECORDED, RETURN TO:

Fabian & Clendenin
P.O. Box 510210
Salt Lake City, Utah 84145

MAIL TAX NOTICES TO:

White Oak Mining and
Construction Co., Inc.
50 West Liberty Street, Suite 880
Reno, Nevada 89501

DEED AND ASSIGNMENT

KANAWHA AND HOCKING COAL AND COKE COMPANY, a West Virginia corporation, having an address c/o The Valley Camp Coal Company, 206 Seneca Street, P.O. Box 900, Oil City, PA 16301, and VALLEY CAMP OF UTAH, INC., a Utah corporation, having an address c/o The Valley Camp Coal Company, 206 Seneca Street, P.O. Box 900, Oil City, PA 16301 (together, "Grantors"), for \$10.00 (TEN DOLLARS) and other good and valuable consideration, hereby assign, transfer, convey and warrant against all claiming by, through, or under them to WHITE OAK MINING & CONSTRUCTION CO., INC., a Nevada Corporation, having an address of 50 West Liberty Street, Bank of American Plaza, Suite 880, Reno, Nevada 89501 ("Grantee"), its successors and assigns, the Federal Coal Leases, Property Leases, Fee Property, County Lease and Water Rights, including but not limited to tracts of land and real property, coal, coal reserves, coal inventory, oil, gas and other minerals located in, on or under the land, water rights, buildings, fixtures and improvements on the land and any other easements, rights-of-way and related facilities, roads, haulways, leases, subleases, rents, issues, profits, income, tenements, hereditaments, possessory rights, claims, including mining claims, privileges and appurtenances belonging to, used, or enjoyed with the land in Carbon County and Emery County, Utah and all of the water and water rights, including all of the rights, privileges, easements and appurtenances belonging to and connected in any manner with the water and water rights owned or held by Grantors, all of which are more particularly described in Exhibit A.

This conveyance is subject to: (i) the exceptions, reservations and conditions as reflected in the real property records of Carbon and Emery Counties, Utah; and (ii) the terms of the Asset Purchase Agreement between the parties dated September 16, 1993.

The Grantors each further represent and warrant to Grantee as to the assets conveyed hereunder as follows:

(a) Grantors own marketable record title in all of the Fee Property described at Exhibit A, Schedule 6, and the Fee Property is free and clear of mortgages, mechanics' liens, tax liens and other forms of security interests securing financial obligations of Sellers;

(b) Grantors own the lessee's interest in the Federal Coal Leases, Property Leases and County Coal Lease described at Exhibit A, Schedules 3, 5 and 7 (but without representation or warranty of any kind concerning the underlying title of lessors') and Grantors have received no notice of default of said leases and are in material compliance with the terms of the said leases, including but not limited to, payment of all rentals, advance royalties and production royalties due and payable;

(c) Grantors are the record owners of the Water Rights more specifically described at Exhibit A, Schedule 8, attached hereto and incorporated herein, free and clear of any liens (other than taxes not yet due) mortgages, easements, encumbrances, claims, restrictions, pledges, security interests or charges of any kind arising by, through or under Sellers and, to the best of Grantor's knowledge, the Water Rights have been put to beneficial use and have not been forfeited or abandoned under the laws of the State of Utah.

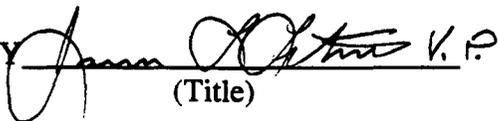
This Deed and Assignment does not supersede or waive any contractual remedy between Grantors and Grantee. Such remedies are in addition to and are not merged into this instrument.

Grantors shall, in addition to this instrument, execute such additional instruments or documents as necessary to complete the assignment, transfer and conveyance of the property in accordance with applicable federal, state and local laws or regulations.

The undersigned Grantors hereby acknowledge and affirm to the below named notary public that (1) [s]he appeared before such notary public, holds the position or title set forth below, and, on behalf of Grantors by proper authority, either executed the foregoing document before such notary public or acknowledged to such notary public that the undersigned Grantors executed the foregoing document, and that (2) the foregoing document was the act of such corporation for the purpose stated in it.

DATED this 16 day of September, 1993.

KANAWHA AND HOCKING COAL
AND COKE COMPANY

BY  V. P.
(Title)

VALLEY CAMP OF UTAH, INC.

BY James L. Litman V.P.
(Title)

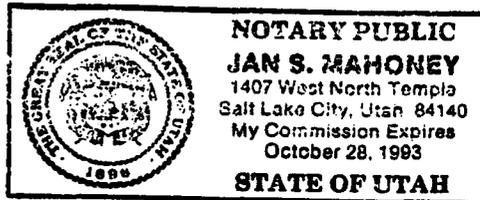
STATE OF Utah)
: ss.
COUNTY OF Salt Lake)

On this 16 day of September, 1993, personally appeared before me James L. Litman, personally known to me or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn, did say that he is the Vice President of Kanawha and Hocking Coal and Coke Company, and that said document was signed by him in behalf of said corporation by authority of its bylaws, and said James L. Litman acknowledged to me that said corporation executed the same.

Jan S. Mahoney
NOTARY PUBLIC
Residing at: _____

My Commission Expires:

STATE OF Utah)
: ss.
COUNTY OF Salt Lake)



On this ____ day of September, 1993, personally appeared before me James L. Litman, personally known to me or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn, did say that he is the Vice President of Valley Camp of Utah, Inc., and that said document was signed by him in behalf of said corporation by authority of its bylaws, and said James L. Litman acknowledged to me that said corporation executed the same.

Jan S. Mahoney
NOTARY PUBLIC
Residing at: _____

My Commission Expires:

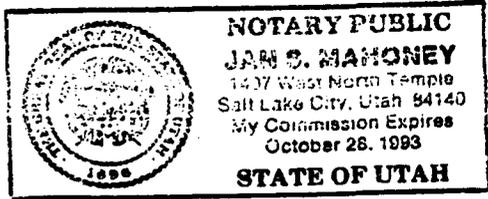


EXHIBIT "A"
TO
DEED AND ASSIGNMENT

Includes:

Schedule 3 - Federal Coal Leases

Schedule 5 - Property Leases

Schedule 6 - Fee Property

Schedule 7 - Carbon County Coal Lease

Schedule 8 - Water Rights

SCHEDULE 3

FEDERAL COAL LEASES

1. All of Sellers' right, title, interest and estate in and to those certain Coal Leases issued by the United States of America, as lessor, bearing the serial numbers indicated below and covering the following described lands:

2. United States Coal Lease Serial No. SL-062605 dated March 17, 1939, as subsequently modified and readjusted effective March 17, 1989, covering the following lands:

TOWNSHIP 13 SOUTH, RANGE 7 EAST

Section 27: South half of the South Half (S $\frac{1}{2}$ S $\frac{1}{2}$).

Section 34: North Half (N $\frac{1}{2}$), North Half of the Southeast quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$).

TOWNSHIP 14 SOUTH, RANGE 7 EAST

Section 3: Lots 5, 6, 7, Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$).

Section 10: Lots 1, 2, 3, 4, Southwest Quarter (SW $\frac{1}{4}$), West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$).

Containing approximately 1,052.68 acres more or less.

3. United States Coal Lease Serial No. U-017354, also sometimes referred to as U-017354-067374 dated September 1, 1965, as subsequently modified and readjusted effective September 1, 1986, covering the following lands:

TOWNSHIP 13 SOUTH, RANGE 6 EAST

Section 36: All.

TOWNSHIP 13 SOUTH, RANGE 7 EAST

Section 31: Lot 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

TOWNSHIP 14 SOUTH, RANGE 6 EAST

Section 1: Lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

TOWNSHIP 14 SOUTH, RANGE 7 EAST

Section 6: Lots 3, 4, 5, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Containing approximately 1,028.47 acres, more or less.

Subject to possible further readjustment and change in royalty rate; and subject to Sublease of United States Coal Lease Utah-017354-067374 dated January 1, 1978 between Kanawha and Hocking Coal and Coke Company, Lessor, and Valley Camp of Utah, Inc., Lessee, affecting the following lands:

Township 13 South, Range 6 East, Salt Lake Meridian, Utah

Section 36: Lots 1, 2, 3, 4, North Half of the South Half (N $\frac{1}{2}$ S $\frac{1}{2}$), and North Half (N $\frac{1}{2}$).

4. United States Coal Lease Serial No. U-073120 dated February 1, 1964, as subsequently readjusted effective May 1, 1984, covering the following lands:

TOWNSHIP 13 SOUTH, RANGE 6 EAST

Section 13: Lots 1, 2, 3, 4, 5, 6, 8

Section 14: Northeast Quarter (NE $\frac{1}{4}$), North Half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$).

Section 24: Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$).

Containing approximately 557.22 acres more or less.

Subject to: Sublease dated September 15, 1975 between Kanawha and Hocking Coal and Coke Company, Lessor, and Valley Camp of Utah, Inc., Lessee, affecting the following lands:

Township 13 South, Range 6 East, SLBM

Section 13: Lots 1, 2, 3, 4, 5, 6, 8

Section 14: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$

Section 24: W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

which was subsequently assigned by Assignment of Kanawha and Hocking Sublease dated October 14, 1975 between Valley Camp of Utah, Inc., Assignor, and Energy Fuels Corporation, Assignee, affecting the following lands:

Township 13 South, Range 6 East, SLM

Section 13: Lots 1, 2, 3, 4, 5, 6, 8
Section 14: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$
Section 24: W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

5. United States Coal Lease Serial No. U-067498 dated January 1, 1962, as subsequently readjusted covering the following lands:

TOWNSHIP 14 SOUTH, RANGE 7 EAST

Section 6: Lots 2, 6, 7, Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$), East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$).
Section 7: Lots 1, 2, 4, East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$).

Coal Lease Readjustment on United States Coal Lease U-067498 dated January 1, 1984 covering the following lands:

TOWNSHIP 14 SOUTH, RANGE 7 EAST, SLM, UTAH

Section 6: Lots 2, 6, 7, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
Section 7: Lots 1, 2, 4, E $\frac{1}{2}$ NW $\frac{1}{4}$

Containing approximately 501.7 acres more or less.

6. Sublease interest in United States Coal Lease Serial No. U-020305 (now segregated and given the number UTU-70018 as to the segregated portion) dated March 1, 1962, as created by the Routt County Sublease as subsequently assigned affecting the following lands:

TOWNSHIP 13 SOUTH, RANGE 6 EAST, SLM, UTAH

Section 24: SE $\frac{1}{4}$
Section 25: Beginning at the SW sec cor; thence N 28°03'28" E. 85 chains, moe or less, to the N 1/4 cor; thence East 40.1 chains to the NE cor; thence S 0°03' W 75.1 chains to the SE cor; thence West 80.07 chains to the point of beginning.

Containing approximately 610 acres, more or less.

7. United States Coal Lease Serial No. U-47975 dated effective December 1, 1981, subject to a Partial Assignment of Lease in favor of Beaver Creek Coal Company and now covering the following lands:

TOWNSHIP 13 SOUTH, RANGE 7 EAST, SLM, UTAH

Section 1: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Section 2: all;
Section 3: lots 1, 2, 5-8, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Section 11: all;
Section 12: W $\frac{1}{2}$ W $\frac{1}{2}$;
Section 13: W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$
Section 14: all;
Section 23: all;
Section 24: W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

Containing approximately 3,627.84 acres more or less.

8. United States Coal Lease Serial No. U-47974 dated effective December 1, 1981, covering the following lands:

TOWNSHIP 13 SOUTH, RANGE 7 EAST, SLM, UTAH

Section 3: lots 9, 10, N $\frac{1}{2}$ SW $\frac{1}{4}$;
Section 9: NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Section 10: all;
Section 15: all;
Section 16: E $\frac{1}{2}$ E $\frac{1}{2}$.

Containing approximately 1,999.06 acres more or less.

9. Sublease interest in the United States Coal Lease Serial No. U-044076 as created by the Routt County Sublease as subsequently assigned affecting the following lands:

TOWNSHIP 13 SOUTH, RANGE 6 EAST, SLB&M, UTAH

Section 35: Lots 6 and 7; N $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$. (E $\frac{1}{2}$)

SCHEDULE 5

PROPERTY LEASES

A. KANAWHA AND HOCKING COAL AND COKE COMPANY

1. All of Sellers' right, title, interest and estate in and to the following described instruments issued by The Denver and Rio Grande Western Railroad Company:

a. Power Line Crossing License (Contract No. 22190) dated November 6, 1957, covering the construction, maintenance, and operation of an overhead electric power transmission line across the right-of-way and property of The Denver and Rio Grande Western Railroad Company near Clear Creek, Carbon County, Utah, and situated within the West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 33, Township 13 South, Range 7 East, S.L.M.

2. All of Sellers' right, title, interest and estate in, to and under the following described right-of-way agreements, leases and instruments:

a. That certain Agreement dated February 27, 1973 between The North American Coal Corporation and Utah Power & Light Company relating to the sale of electrical distribution facilities used to serve Clear Creek, Utah.

3. Lease and Easement Agreement dated August 6, 1976 between Helen Marakis and Nick Marakis and Koula Marakis, his wife, and Kanawha and Hocking Coal and Coke Company, covering the following lands:

Township 13 South, Range 6 East, Salt Lake Base & Meridian

Section 12: All

Section 13: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$

Section 13:

} Beginning at the Northwest corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$ of
Section 24: Section 13, thence East to the Northeast corner of
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 13, thence South to the
intersection of Eccles Canyon Creek with the East
Township line; thence Westerly along the center line of
Eccles Canyon Creek to the point of beginning.

Township 13 South, Range 7 East, Salt Lake Base & Meridian

Section 7: W $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8: E $\frac{1}{2}$ E $\frac{1}{2}$, less and except the following described parcel
amounting to 2 acres, more or less; Beginning at a point

North 237.36 feet from the Southeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence North 204.38 feet; thence South 78°07' East 370 feet, more or less, to the West edge of the present Clear-Creek-Scofield Road; thence South 9° West 200.25 feet along the West edge of road; thence North 78°07' West 338 feet, more or less, to the point of beginning. Also less and except a tract of land for highway known as Project No. 0215, situated in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 8 and containing 3.09 acres. Subject to an easement over a tract of land 50 feet wide through the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 8, for the purpose of constructing and maintaining thereon a channel change for Clear Creek.

Section 9: W $\frac{1}{2}$ SW $\frac{1}{4}$, excepting, however, the existing right-of-way of Carbon County Railway Company and the right-of-way of the Utah Power and Light Company, a corporation.

Section 16: W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$; subject to an easement over a tract of land containing .18 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ for the purpose of constructing and maintaining thereon a channel change for Clear Creek.

Section 17: Beginning at a point where the center line of Eccles Canyon Creek intersects the East boundary line of SE $\frac{1}{4}$ SW $\frac{1}{4}$, thence North to the Northeast corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$, thence West to the Northwest corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence South to a point where the center line of Eccles Canyon Creek intersects the West boundary of SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence Easterly along the center line of Eccles Canyon Creek to beginning. E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$; Less beginning at a point 985 feet West of the Northeast corner of said Section 17, thence West 335 feet; thence south 1420 feet; thence East 750 feet to State Road right-of-way; thence North 18°35' West 110 feet; thence North 31°00' West 374 feet; thence North 10°00' West 1020 feet more or less to beginning, containing 16.75 acres. Also, less and excepting a tract of land for highway known as Project No. 0215 situated in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 17, containing 2.88 acres of land.

Also less and excepting a tract of land for highway known as Project No. 0215 situated in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 17, containing 6.11 acres, more or less.

Subject to an easement over a tract of land containing .76 acres situated in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 17, for the purpose of constructing and maintaining thereon a channel change for Clear Creek.

Subject also to an easement over a tract of land containing .76 acres situated in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 17, for the purpose of constructing and maintaining thereon a channel change for Clear Creek.

Section 18: NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$; also, beginning at a point where the East boundary line of SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18 intersects with the center line of Eccles Canyon Creek and running thence North to the Northeast corner of SE $\frac{1}{4}$ SE $\frac{1}{4}$, thence West to the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 18, thence South to the intersection of the West line of SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18 with the center line of Eccles Canyon Creek; thence Easterly along the center line of Eccles Canyon Creek to the point of beginning.

Section 20:

Section 21:} Beginning at a point where the center line of Broad Canyon Creek intersects with the North boundary line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, thence Westerly along said center line to a point where the center line of said creek intersects with the North boundary line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, thence East to the point of beginning.

Subject to Sublease Letter Agreement dated September 13, 1976 between Kanawha and Hocking Coal and Coke Company and Valley Camp of Utah, Inc., affecting the Lease and Easement Agreement dated August 6, 1976, between Helen Marakis and Nick Marakis and Koula Marakis, his wife, and Kanawha and Hocking Coal and Coke Company.

4. Lease dated January 1, 1979 between Della L. Madsen, and Robert G. Hammond and Hilda M. Hammond, Lessors, and Kanawha and Hocking Coal and Coke Company, Lessee, covering the following lands:

Township 13 South, Range 7 East, SLB&M

Section 19: E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 20: W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 29: NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 30: E $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

Subject to Sublease dated January 1, 1981 between Kanawha and Hocking Coal and Coke Company, Lessor, and Valley Camp of Utah, Inc., Lessee, affecting the following lands:

Township 13 South, Range 7 East, SLB&M

Section 19: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 30: NE $\frac{1}{4}$ NW $\frac{1}{4}$

5. Routt County Sublease dated September 15, 1975 between Routt County Development, Ltd., Lessor, and Energy Fuels Corporation, Lessee, affecting the following lands:

Township 13 South, Range 6 East, SLBM

Section 24: S $\frac{1}{2}$
Section 25: Lots 1, 2, 3, 4; S $\frac{1}{2}$ N $\frac{1}{2}$; S $\frac{1}{2}$ (All)
Section 35: Lots 6 and 7; N $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$. (E $\frac{1}{2}$)

6. Assignment of Routt County Sublease dated January 5, 1978 from Valley Camp of Utah, Inc. to Kanawha and Hocking Coal and Coke Company, affecting the following lands:

Township 13 South, Range 6 East, SLM

Section 24: S $\frac{1}{2}$
Section 25: Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ (All)
Section 35: Lots 6 and 7, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ (E $\frac{1}{2}$)

7. Lease dated August 14, 1975 by and between Milton A. Oman and Bessie G. Oman, as lessors, and Kanawha and Hocking Coal and Coke Company, as lessee, covering the following lands:

A 40-acre parcel lying within the Southwest Quarter of Section 19, or the North half Northwest Quarter of Section 30, or both, Township 13 South, Range 7 East, SLBM; together with a right of way crossing Sections 19 and 20, and the North half Northwest Quarter of Section 30, Township 13 South, Range 7 East, SLBM; together with a right of way not to exceed 40 feet in width, from a point within the Southwest Quarter of Section 19, or the North half Northwest Quarter of Section 30, or both, in a direct line Northeast to a transfer point in Eccles Canyon lying within the North half North half of Section 19, or the South half South half of Section 18 South of Eccles Creek, or

both; thence easterly through the South half South half of Sections 17 and 18 South of Eccles Creek, or the North half North half of Sections 19 and 20, or both, all within Township 13 South, Range 7 East, SLBM.

Subject to Sublease dated January 1, 1981 (4 below) between Kanawha and Hocking Coal and Coke Company, Lessor, and Valley Camp of Utah, Inc., Lessee, affecting the following lands:

Township 13 South, Range 7 East, SLB&M

Section 19

Section 20

Section 30: N $\frac{1}{2}$ NW $\frac{1}{4}$

B. VALLEY CAMP OF UTAH, INC.

1. Sublease of Carbon County Lease dated January 1, 1978 between Kanawha and Hocking Coal and Coke Company, Lessor, and Valley Camp of Utah, Inc., Lessee, affecting the following lands:

Township 13 South, Range 6 East, Salt Lake Meridian, Utah

Section 24: W1/2NE1/4, SE1/4NE1/4

Township 13 South, Range 7 East, Salt Lake Meridian, Utah

Section 18: W1/2NW1/4
Section 19: SW1/4SW1/4
Section 30: W1/2W1/2
Section 31: NW1/4NW1/4

2. Sublease dated September 15, 1975 between Kanawha and Hocking Coal and Coke Company, Lessor, and Valley Camp of Utah, Inc., Lessee, affecting the following lands:

Township 13 South, Range 6 East, SLBM

Section 13: Lots 1, 2, 3, 4, 5, 6, 8
Section 14: NE1/4, N1/2SE1/4
Section 24: W1/2NE1/4, NE1/4NW1/4

Subject to Assignment of Kanawha and Hocking Sublease in favor of Energy Fuels Corporation.

3. Sublease dated January 1, 1981 between Kanawha and Hocking Coal and Coke Company, Lessor, and Valley Camp of Utah, Inc., Lessee, affecting the following lands:

Township 13 South, Range 7 East, SLB&M

Section 19: SE1/4SW1/4, SW1/4SE1/4
Section 30: NE1/4NW1/4

Relates to the Della Madsen Lease.

4. Sublease dated January 1, 1981 between Kanawha and Hocking Coal and Coke Company, Lessor, and Valley Camp of Utah, Inc., Lessee, affecting the following lands:

Township 13 South, Range 7 East, SLB&M

Section 19
Section 20
Section 30: N½NW¼

Relates to the Oman Lease.

5. Lease dated January 1, 1981 between Kanawha and Hocking Coal and Coke Company, Lessor, and Valley Camp of Utah, Inc., Lessee, affecting the following lands:

Township 13 South, Range 7 East, Salt Lake Meridian, Utah

Section 30: SE1/4SW1/4
Section 31: SW1/4NW1/4, S1/2SW1/4

Relates to coal rights only and subject to prior termination.

6. Lease dated January 1, 1978 between Kanawha and Hocking Coal and Coke Company, Lessor, and Valley Camp of Utah, Inc., Lessee, covering the following lands:

Township 13 South, Range 7 East, Salt Lake Meridian, Utah

Section 30: SE1/4SW1/4
Section 31: SW1/4NW1/4

Relates to coal rights only, subject to prior termination and partial top lease.

7. Sublease Letter Agreement between Kanawha and Hocking Coal and Coke Company and Valley Camp of Utah, Inc., affecting the Lease and Easement Agreement dated August 6, 1976, between Helen Marakis and Nick Marakis and Koula Marakis, his wife, and Kanawha and Hocking Coal and Coke Company.

Subject to subsequent assignment.

8. Easement dated January 1, 1981 between Kanawha and Hocking Coal and Coke Company, Grantor, and Valley Camp of Utah, Inc., Grantee, affecting the following lands:

Township 13 South, Range 7 East, SLB&M

Section 17: NW¼NE¼, SW¼NE¼, less and excluding the Kosec property containing approximately 2 acres.
NW¼SE¼

Section 19: NE¼SW¼

9. Easement dated January 1, 1981 between Kanawha and Hocking Coal and Coke Company, Grantor, and Valley Camp of Utah, Inc., Grantee, within the following lands:

S½SE¼ of Section 17, Township 13 South, Range 7 East, SLB&M and more particularly described as follows:

- a. An easement and right of way for access roads and conveyor systems being fifty (50) feet on either side of a center line to be established over and across that portion of the lands in Area I as hereinafter described situated within the SW¼SE¼ of said Section 17 and having a total area not to exceed 1.5 acres.
- b. An easement and right of way for railroad trackage being thirty (30) feet on either side of a center line to be established over and across that portion of the lands in Areas I and II as hereinafter described situated within the SE¼SE¼ of said Section 17 and having a total area not to exceed 2.5 acres.

The easements and rights of way granted hereunder shall be contained within the following described tracts situated within said S½SE¼ of Section 17, Carbon County, State of Utah which tracts are more particularly described as follows:

Township 13 South, Range 7 East, SLB&M

Area I

Beginning at the Northeast corner of the SE¼SE¼ of Section 17, Township 13 South, Range 7 East, SLB&M, and running thence Southerly along the East boundary of said Section 440 feet, thence South 36° West 390 feet, thence North 59° West approximately 790 feet, thence Northerly 50 feet, thence Westerly 1390 feet, thence Southerly 180 feet, thence Westerly to the West Boundary line of the SE¼ of said Section 17, thence Northerly along said boundary line 480 feet more or less to the North boundary line of the

S $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section, thence Easterly to the point of beginning.

Area II

Also that additional area of land in said Section 17 contiguous to the above parcel and adjoining the existing right of way of the Denver & Rio Grande Western Railroad, which area shall be subject to the terms and provisions of paragraphs 2.(a) and 10 of said Easement Agreement and is more particularly described as follows:

Beginning at a point on the boundary of the above described parcel (Area I) where said boundary intersects the Eastern boundary of the Denver & Rio Grande Western Railroad right of way, thence Southwesterly along the East Boundary of said Denver & Rio Grande Western Railroad right of way approximately 1,000 feet, more or less to the South boundary line of said Section 17, thence East along said boundary line 77 feet, thence Northeasterly parallel to the Eastern boundary of said Denver & Rio Grande Western Railroad right of way approximately 970 feet to the point of intersection with the above described parcel (Area I), thence Northwesterly along the boundary line of said parcel to the point of beginning.

10. Assignment of Routt County Sublease dated September __, 1975 from Energy Fuels Corporation to Valley Camp of Utah, Inc., affecting the following lands:

Township 13 South, Range 6 East, SLBM

Section 24: S $\frac{1}{2}$

Section 25: Lots 1, 2, 3, 4; S $\frac{1}{2}$ N $\frac{1}{2}$; S $\frac{1}{2}$ (All)

Section 35: Lots 6 and 7; N $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$. (E $\frac{1}{2}$)

Subject to Assignment of Routt County Sublease dated January 5, 1978 from Valley Camp of Utah, Inc. to Kanawha and Hocking Coal and Coke Company.

Also subject to the further Sublease of Routt County Sublease made as of January 1, 1978 between Kanawha and Hocking Coal and Coke Company, Lessor, and Valley Camp of Utah, Inc., Lessee, covering the following lands:

Township 13 South, Range 6 East, SLM

Section 24: S1/2

Section 25: Lots 1, 2, 3, 4, S1/2N1/2, S1/2 (All)

Section 35: Lots 6 and 7, N1/2SE1/4, NE1/4 (E1/2)

Subject to Decision dated October 12, 1978 from United States Department of Interior to Kanawha and Hocking Coal and Coke Company approving the following subleases:

Utah 020305 T. 13 S., R. 6 E., SLM, Utah Sec. 24, S1/2; Sec. 15, all.

Utah 044076 T. 13 S., R. 6 E., SLM, Utah Sec. 35, lots 6, 7,
N1/2SE1/4, NE1/4.

11. Sublease of United States Coal Lease Utah-017354-067374 dated January 1, 1978 between Kanawha and Hocking Coal and Coke Company, Lessor, and Valley Camp of Utah, Inc., Lessee, affecting the following lands:

Township 13 South, Range 6 East, Salt Lake Meridian, Utah

Section 36: Lots 1, 2, 3, 4, North Half of the South Half (N1/2S1/2), and North Half (N1/2).

SCHEDULE 6

FEE PROPERTY

1. The right, title and interest of Sellers in the fee simple title in and to the following described lands designated as "fee lands":

CLEAR CREEK AREA - FEE LANDS

TOWNSHIP 13 SOUTH, RANGE 7 EAST, S.L.B.M.

Section 32: North Half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$).

Section 33: West Half of the West Half (W $\frac{1}{2}$ W $\frac{1}{2}$), subject to right of way.

2. The right, title and interest of Sellers in the fee simple title in and to the surface estate and surface rights in the following described lands designated as "surface rights only":

CLEAR CREEK AREA - SURFACE RIGHTS ONLY

TOWNSHIP 13 SOUTH, RANGE 7 EAST, S.L.B.M.

Section 32: Northeast Quarter (NE $\frac{1}{4}$), South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$).

TOWNSHIP 14 SOUTH, RANGE 7 EAST, S.L.B.M.

Section 4: Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$).

3. The right, title and interest of Sellers in the fee simple title in and to the coal and coal estate in the following described lands designated as "coal rights only":

CLEAR CREEK AREA - COAL RIGHTS ONLY

TOWNSHIP 12 SOUTH, RANGE 6 EAST, S.L.B.M.

Section 36: South Half of the North Half (S $\frac{1}{2}$ N $\frac{1}{2}$), North Half of the South Half (N $\frac{1}{2}$ S $\frac{1}{2}$).

TOWNSHIP 12 SOUTH, RANGE 7 EAST, S.L.B.M.

- Section 19: Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$).
- Section 30: Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$).
- Section 31: Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$), East Half of the Northwest quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$), Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$).

TOWNSHIP 13 SOUTH, RANGE 6 EAST, S.L.B.M.

- Section 1: Northeast Quarter (NE $\frac{1}{4}$), subject to right of way.

TOWNSHIP 13 SOUTH, RANGE 7 EAST, S.L.B.M.

- Section 6: Northwest quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$).
- Section 7: West Half of the Northeast Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$), Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$).
- Section 8: East Half of the East Half (E $\frac{1}{2}$ E $\frac{1}{2}$).
- Section 9: West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$).
- Section 16: Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), subject to right of way, Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$).
- Section 17: Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), subject to a right of way.
- Section 18: North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$), East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$).
- Section 21: North Half (N $\frac{1}{2}$), West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$), subject to right of way.
- Section 28: West Half of the West Half (W $\frac{1}{2}$ W $\frac{1}{2}$), subject to right of way.
- Section 30: Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$).
- Section 31: Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), South half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$).

- Section 33: East Half of the West Half (E $\frac{1}{2}$ W $\frac{1}{2}$), Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$).
Section 34: Southwest Quarter (SW $\frac{1}{4}$).

TOWNSHIP 14 SOUTH, RANGE 7 EAST, S.L.B.M.

- Section 3: Northwest quarter (NW $\frac{1}{4}$).
Section 4: Lot 4, comprising the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$).

4. All of Sellers' right, title and interest in and to the oil and gas and associated hydrocarbons and rights incidental thereto in the following described lands:

TOWNSHIP 14 SOUTH, RANGE 7 EAST, S.L.B.M.

- Section 4: Lot 4, comprising the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$).

5. All of Sellers' right, title and interest in and to those certain interests in land obtained through that certain Warranty Deed dated July 23, 1975 between Leon J. Nicolaides and Donna K. Nicolaides, his wife, J. Richard Bell and Jacque B. Bell, his wife, Tom J. Nicolaides and Daisy Fay Nicolaides, his wife, Bessie N. Daraban, and Mary N. Stathis, grantors, and Kanawha and Hocking Coal and Coke Company, grantee, in the following described lands:

Township 13 South, Range 7 East, S.L.M.

Parcel 1

- Section 7: S $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 17: N $\frac{1}{2}$ SW $\frac{1}{4}$
Section 18: NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$

Excepting coal and all other minerals.

Parcel 2

- Section 17: NW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$; and Beginning at the SW corner of the NE $\frac{1}{4}$ of said Section, thence East 1320 feet, thence North 920 feet, thence West 200 feet, thence North 202 feet, thence West 20 feet, thence North 198 feet, thence West 1100 feet, thence South 1320 feet to the point of beginning.

Reserving oil and gas and associated hydrocarbons, together with the right of ingress and egress for the purpose of exploring for, producing, and removing the same.

Parcel 3

Section 17: SW $\frac{1}{4}$ NW $\frac{1}{4}$

Subject to a reservation of royalty as more fully described in said Warranty Deed. Excepting coal and all other minerals.

6. All of Sellers' right, title and interest in and to the interests in land obtained through that certain Quit-Claim Deed dated May 24, 1991 between Coastal States Energy Company and Skyline Coal Company, Grantors, and Kanawha and Hocking Coal and Coke Company, Grantee, covering the following lands:

Township 13 South, Range 6 East, SLB&M

Section 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$

7. All of Sellers' right, title and interest in and to that certain Easement dated October 21, 1975 between Board of Education of Alpine School District and Kanawha and Hocking Coal and Coke Company covering the following lands:

A tract of land 50 feet wide, being 25 feet on either side of the following described centerline:

Commencing at the South quarter corner of Section 8, Township 13 South, Range 7 East, S.L.M., thence East 1510 feet; thence North 275 feet to the point of beginning, located on the westerly right-of-way line of Utah Highway 96;

Thence North 83° West 210 feet; thence North 81° West 295 feet.

8. All of Sellers' right, title and interest in and to that certain Easement dated October 21, 1975 between Board of Education of Alpine School District and Kanawha and Hocking Coal and Coke Company, covering the following lands:

Beginning at a point 970 feet East of the South quarter corner of Section 8, Township 13 South, Range 7 East, S.L.M., thence East 50.48 feet along the Section Line; thence North 6° East 330 feet to south edge of existing Alpine School District access road; thence North 81° West 50.27 feet along said road; thence South 6° West 337.90 feet to point of beginning.

9. All of Sellers' right, title and interest in and to that certain Easement dated October 21, 1975 between Board of Education of Alpine School District, Grantor, and Kanawha and Hocking Coal and Coke Company, Grantee, covering the following lands:

A tract of land 50 feet wide, being 25 feet on either side of the following described centerline:

Commencing at the South quarter corner of Section 8, Township 13 South, Range 7 East, S.L.M., thence East 1510 feet; thence North 275 feet to the point of beginning, located on the westerly right-of-way line of Utah Highway 96;

Thence North 83° West 210 feet; thence North 81° West 295 feet.

10. All of Sellers' right, title and interest in and to the interests in land obtained through that certain Warranty Deed dated April 20, 1976 between Justus O. Seely and Louise S. Seely, his wife, Grantors, and Kanawha and Hocking Coal and Coke Company, Grantee, covering the following lands:

Township 13 South, Range 7 East, S.L.B.&M.

Section 19: NE¼SW¼

SUBJECT TO, all prior reservations and easements of record, including any and all previous reservations of the oil, gas and other minerals contained in said lands.

11. All of Sellers' right, title and interest in and to the interests obtained through that certain Warranty Deed dated February 14, 1991 between The Board of Education of Alpine School District, Grantor, and Kanawha and Hocking Coal and Coke Company, Grantee, covering the following lands:

Township 13 South, Range 7 East, S.L.B.&M.

That certain parcel of land situated in Section 8, more particularly described as follows:

Commencing at a point which is North 275.00 feet and East 1510.00 feet from the South $\frac{1}{4}$ corner of Section 8, which is located on the Westerly right-of-way line of Utah Highway 96 and running thence Southeasterly along said Westerly right-of-way line to the South boundary line of said Section 8; thence Westerly to a point 986.75 feet East of the South $\frac{1}{4}$ corner of Section 8; thence North 6° East 355 feet, more or less to the centerline of the existing Alpine School District Access Road; thence South 81° East 295.00 feet, more or less, along said centerline; thence South 83° East 210.00 feet, more or less along said centerline to the point of beginning.

12. Easement dated December 5, 1990 executed by The Board of Education of Alpine School District in favor of Kanawha and Hocking Coal and Coke Company, concerning a perpetual right of way and easement for the joint use of the roadway providing access to the area in and around what is referred to as "Green Canyon" as such roadway now exists and as it may hereafter be modified, realigned or reconstructed, affecting the following lands:

Township 13 South, Range 7 East SLB&M

Section 17: N $\frac{1}{2}$ NW $\frac{1}{4}$

SCHEDULE 7

CARBON COUNTY COAL LEASE

1. All of Seller's right, title, interest and estate in and to the following described Coal Lease issued by Carbon County, as lessor, to North American Coal Corporation dated May 1, 1969, and subsequently amended and renewed by that certain Lease dated as of the first of May, 1974 and now covering coal in the following lands in Carbon County, Utah:

TOWNSHIP 13 SOUTH, RANGE 6 EAST

Section 24: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$

TOWNSHIP 13 SOUTH, RANGE 7 EAST

Section 18: W $\frac{1}{2}$ NW $\frac{1}{4}$

Section 19: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 30: W $\frac{1}{2}$ W $\frac{1}{2}$

Section 31: NW $\frac{1}{4}$ NW $\frac{1}{4}$

Subject to Assignment dated June 27, 1973 from The North American Coal Corporation to Kanawha and Hocking Coal and Coke Company.

Subject to:

(1) Kanawha and Hocking Sublease dated September 15, 1975 between Kanawha and Hocking Coal and Coke Company as Lessor and Valley Camp of Utah as Lessee and affecting the following lands:

Township 13 South, Range 6 East, SLBM

Section 13: Lots 1, 2, 3, 4, 5, 6, 8

Section 14: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$

Section 24: W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

as subsequently assigned by Assignment of Kanawha and Hocking Sublease dated September 26, 1975 between Valley Camp of Utah, Inc., Assignor, and Energy Fuels Corporation covering the following lands:

Township 13 South, Range 6 East, SLBM

Section 13: Lots 1, 2, 3, 4, 5, 6, 8

Section 14: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$

Section 24: W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

; and

(2) Sublease of Carbon County Lease dated January 1, 1978 between Kanawha and Hocking Coal and Coke Company, Lessor, and Valley Camp of Utah, Inc., Lessee, affecting the following lands:

Township 13 South, Range 6 East, Salt Lake Meridian, Utah

Section 24: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$

Township 13 South, Range 7 East, Salt Lake Meridian, Utah

Section 18: W $\frac{1}{2}$ NW $\frac{1}{4}$

Section 19: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 30: W $\frac{1}{2}$ W $\frac{1}{2}$

Section 31: NW $\frac{1}{4}$ NW $\frac{1}{4}$

SCHEDULE 8

WATER RIGHTS

I. All water rights, water claims, water, ditches, canals, reservoirs, and related easements, appurtenances and privileges belonging to Sellers and used in connection with the lands described in this Agreement, including, but not limited to the following described water rights:

1. All water rights acquired by mesne conveyances from Pleasant Valley Coal Company under decree of the District Court of the Seventh Judicial District of the State of Utah, Carbon County, in the case of the Tidwell Canal Company, et al. v. The Pioneer Ditch Company No. 1, et al.

2. 1,109.7 shares of the Stock of the Price River Water Users Association represented by Certificate No. 1782.

It is the intention and purpose of this Agreement to sell and convey to Buyer all of the rights, privileges, easements and appurtenances belonging to and connected in any manner with the water rights and water claims owned or held by Sellers.

II. All of Sellers' right, title and interest and estate in, to and under the following described water user's claims which were described in the instrument by which Sellers took its title as follows:

AS IDENTIFIED IN THE CASE NOW PENDING IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT IN AND FOR CARBON COUNTY, STATE OF UTAH, ENTITLED: IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF WATER, BOTH SURFACE AND UNDERGROUND, WITHIN THE DRAINAGE AREA OF THE PRICE RIVER AND OF THE DRAINAGE AREA OF THE GREEN RIVER FROM THE CONFLUENCE OF THE PRICE AND GREEN RIVERS TO THE CONFLUENCE OF THE GREEN AND COLORADO RIVERS EXCLUDING THE DRAINAGE AREA OF THE SAN RAFAEL RIVER IN UTAH.

(AREA CODES 91 AND 92)

<u>Water Users</u> <u>Claim No.</u>	<u>Priority</u>	<u>Type</u>	<u>Source</u>	<u>Flow</u> <u>(CFS)</u>	<u>Place of</u> <u>Diversion (SLM)</u>	<u>Use</u>
3586	1882	Diligence (No. 2252)	Clear Creek Spring Area	0.50	NW $\frac{1}{4}$ NE $\frac{1}{4}$, § 32, T. 13 S., R. 7 E. (5 pts. of diversion)	Industrial, Stockwatering Irrigation, Industrial
3587	1860	Diligence	Boardinghouse Canyon Creek	-	NW $\frac{1}{4}$ NE $\frac{1}{4}$, § 22, to NW $\frac{1}{4}$ NW $\frac{1}{4}$, § 33, T. 13 S., R. 7 E.	Stockwatering
3588	1860	Diligence	Finn Canyon Creek	-	NW $\frac{1}{4}$ SE $\frac{1}{4}$, § 32, T. 13 S., R. 7 E., to NW $\frac{1}{4}$ SW $\frac{1}{4}$, § 33, T. 12 S., R. 7 E.	Stockwatering
3589	1869	Diligence	Mud Creek	-	NW $\frac{1}{4}$ NW $\frac{1}{4}$, § 4, T. 14 S., R. 7 E., to NW $\frac{1}{4}$ NW $\frac{1}{4}$, § 33, T. 13 S., R. 7 E.	Stockwatering
3590	1882	Underground (No. 22205)	Clear Creek Mine Tunnel No. 3	0.446	NW $\frac{1}{4}$ SW $\frac{1}{4}$, § 33, T. 13 S., R. 7 E.	Industrial
3595	1882	Diligence	O'Connor Mine Tunnel No. 1	0.030	SW $\frac{1}{4}$ NW $\frac{1}{4}$, § 31, T. 13 S., R. 7 E.	Industrial
3596	1882	Diligence	O'Connor Mine Tunnel No. 2	0.047	SW $\frac{1}{4}$ NW $\frac{1}{4}$, § 31, T. 13 S., R. 7 E.	Industrial

EXHIBIT G

LEASE AND EASEMENT AGREEMENT

THIS LEASE AND EASEMENT AGREEMENT entered into this th 6 day of August, 1976, by and between HELEN MARAKIS of 160 East First South, Price, Utah and NICK MARAKIS and KOULA MARAKIS, his wife, of 150 East First South, Price, Utah (hereinafter "Lessors") and KANAWHA AND HOCKING COAL AND COKE COMPANY, a West Virginia corporation whose Utah address is P.O. Box 507, Clear Creek, Utah (hereinafter "Lessee"),

WITNESSETH:

I.

LEASE PROVISIONS

1. Lessors hereby lease and let to Lessee for its exclusive use and possession upon the terms and conditions hereof the lands, (hereinafter the "Property") situate in Carbon County, Utah, more fully described in Exhibit "A" attached hereto and by this reference made a part hereof, for a term of thirty (30) years beginning on the 1st day of May, 1976.

2. Lessee agrees to pay and Lessors agree to accept as rent for the Property during the term of this Lease the following sums:

a. During the first five years of this lease, ^{at 97'} Twelve Thousand Dollars (\$12,000.00) a year in equal annual installments.

210

1441

b. During the remaining term of this lease an amount each year in equal annual instalments calculated as follows:

(i) Twelve Thousand Dollars (\$12,000.00),

plus

(ii) An amount to be determined annually equal to Twelve Thousand Dollars (\$12,000.00) multiplied by the proportionate percentage increase, if any, in the Consumer Price Index (All Items Index) (hereinafter CPI) issued by the Department of Commerce of the United States of America. The percentage increase in the CPI shall be calculated by using the CPI as of January 1, 1976 as base and the CPI as of January 1, 1981 and January 1, of each year thereafter to determine the percentage increase. If there has been no increase in the CPI, no adjustment in the annual rental will be made.

9/29/77

Payment of such rental shall be made at the address of Lessors shown above, the first payment to be made upon execution of this Lease and Easement Agreement, and subsequent payments to be made at the same address on or before the 1st day of May annually thereafter.

3. Lessee agrees that during the term of this Lease, it will pay all property and ad valorem taxes and special assessments levied against the Property and on any building,

facility, structure or appurtenance Lessee may elect to construct on the Property, and that it will pay all insurance on the said buildings, facilities, structures or appurtenances or any replacement thereof, and all costs of operation, maintenance and repair of the buildings, facilities, structures or appurtenances or any replacement thereof, and all utility charges including, but not limited to, water, gas, lights, sewer services, telephone and garbage disposal.

4. Lessee is hereby granted the use and occupancy of the Property for access to and ingress and egress for all purposes to and from all properties in the general vicinity of the Property in which Lessee holds an interest. Lessee is also granted the use and occupancy of the Property for all purposes related to the establishment of the perpetual easements across the property as more fully described in the Easement Provisions hereinafter contained.

5. Lessee covenants that it will:

9/9/77
a. Pay rent at the times and place and in the manner aforesaid.

b. Not use or occupy the Property for any unlawful purposes; and will conform to and obey all present and future laws and ordinances, and all rules, regulations, requirements and orders of all government authorities or agencies, respecting the use and occupation of the Property.

c. Limit and control pollution of the air and

10/4/77

water to the fullest extent practicable consistent with workmanlike mining operations and to conform to and obey all present and future laws and ordinances, and all rules, regulations, requirements and orders of all governmental authorities having jurisdiction over the Property respecting pollution of the air and water.

d. Indemnify and save harmless Lessors from and against any loss, damage and liability occasioned by, growing out of, or arising or resulting from Lessee's use and occupation of the Property, or from any tortious or negligent act on the part of Lessee, its agents or employees.

e. Keep the Property plainly posted against trespassing or hunting and take steps reasonably designed to prevent, to the extent reasonably practicable, public use of the Property.

6. Lessors covenant and warrant:

a. That Lessors have good and marketable title to the Property, free and clear of all liens and encumbrances.

b. If Lessee shall pay rent as herein provided and shall keep, observe and perform all the other covenants of this Lease by it to be kept, performed and observed, Lessee shall and may peaceably, quietly and, except as hereinafter provided, exclusively

have, hold and enjoy the Property for the purposes set forth for the term aforesaid.

7. It is further agreed:

a. That Lessee shall not sublease any or all of the Property or interests therein leased hereunder for the purposes of grazing livestock and Lessors hereby reserve the right to use the Property to graze livestock by Lessors at their sole risk. This right shall be limited to that number of AUM's determined annually by the United States Forest Service to be appropriate for the Property, and such determination shall only be made when requested by a party hereto. It is, however, agreed that Lessors' use of the Property for grazing purposes shall not interfere with Lessee's use of the Property for the purposes herein described.

b. That any purchaser, assignee, mortgagee, or pledgee of the Lessors' interest in the Property or this Lease or the Lessee's interest in this Lease, shall be bound by the terms of this Lease and the Option contained herein.

c. That any road, structure, building, facility or appurtenance constructed on the Property by Lessee shall be designed in such a manner as to make the most economical use of the land consistent with Lessee's reasonable mining needs and that no

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timber will be cut on the Property other than that required in clearing the Property for the easement and right of way described herein.

d. That Lessee shall construct, operate and maintain its facilities, buildings, structures, and appurtenances on the Property in such manner that normal use thereof minimizes fire hazards and does not cause such erosion of, or depositing of dust upon, the Property as to substantially interfere with the use of the Property for grazing and recreational purposes upon termination of this Lease.

e. That Lessors shall have the right to construct and maintain a cabin on the Property provided said cabin shall not be constructed within or immediately adjacent to the area to be used by Lessee for the easement and right of way described herein and provided further that Lessors must submit the plans for said cabin including a site plat, to Lessee and obtain its approval prior to the commencement of construction of said cabin. Lessors shall pay all taxes assessed against said cabin.

f. That Lessors shall deliver possession of said Property to Lessee on or before the 1st day of June, 1976, free and clear of any use or

occupation by Lessors, their successors, heirs or assigns, not permitted hereunder.

g. That if Lessee shall at any time be in default in the payment of rent herein reserved, or in the performance of any of the covenants, terms and conditions or provisions of this Lease, and the Lessee shall fail to remedy such default within sixty (60) days after written notice thereof from the Lessors, or such longer period as may be necessitated by conditions of weather or terrain or other conditions relative to such remedy, then such default or failure of performance shall confer upon Lessors a cause of action for damages if they are injured by said default but shall not result in forfeiture of any interest conveyed hereby.

II.

EASEMENT PROVISIONS

8. Lessors hereby grant, convey, transfer and assign unto Lessee for the consideration herein stated and upon the terms hereinafter set forth, perpetual easements and rights of way for the construction, location, use, maintenance and operation of access roads and a conveyor system over, in, under, across and along the Property, including, but not limited to, the right to alter, add to, widen, repair, replace and/or remove

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Kell

upon or from the Property any and all existing public or private roads across the Property and the right to construct, locate, use, maintain and operate any such other and further facilities, buildings, structures and appurtenances as to Lessee may seem necessary in the carrying on of its mining operations. Together with the right to use such easements and rights of way for such other related and ancillary purposes as may be necessary or convenient in Lessee's operations on such easement and right of way, including but not limited to, the right to construct and maintain electrical transmission lines and communication lines with poles.

9. At any time prior to the expiration of this Lease, as hereinabove provided, Lessee shall submit to Lessor a legal description of the perpetual easements and rights of way which it desires to obtain under the provisions of Paragraph 8. Lessee shall have the sole discretion to fix the location of said easements and rights of way. Upon receipt of said description, Lessors shall execute and deliver to Lessee a grant of easement in the form attached hereto as Exhibit "B" conveying the easements and rights of way under the terms herein contained across the portion of the Property described by Lessee.

III.

GENERAL PROVISIONS

10. If at any time during the term of this Lease, Lessors shall desire to sell the Property to any person or persons other than a member or members of Lessors' immediate family

Lessors shall notify Lessee of the terms then offered and acceptable to Lessors for such sale and shall provide Lessee an opportunity within sixty (60) days to purchase the Property on the same terms.

11. Each party hereto shall be responsible for all damages to any other party, or to third persons, resulting from fire proximately caused by the negligence of such party.

12. In case of default by any party hereto, the necessary costs of enforcement of the terms hereof, including attorneys' fees, shall be assessed against the defaulting party.

13. Nothing herein contained shall be construed to waive, relinquish, or in any manner modify any right or interest of Lessee in the Property existing at the time of execution of this Lease.

14. All notices and payments required hereunder shall be personally delivered or mailed, by registered or certified mail, postage prepaid, and, if mailed, shall be deemed timely if postmarked on or before the last day of the period in which such notice may be given or payment made. Payments shall be made one-half to Helen Marakis or her successors and one-half to Nick Marakis and Koula Marakis or their successors. Changes in name of Lessor shall be made by written notice to Lessee with evidence satisfactory to Lessee of such change in ownership. Lessee's address for the purpose of all notices shall be:

gd. M1
Kanawha and Hocking Coal and
Coke Company
c/o Valley Camp of Utah, Inc.
P.O. Box 507
Clear Creek, Utah 84517
KM

Lessors' address for the purpose of such notices and payments shall be:

Helen Marakis
160 East First South
Price, Utah

Nick and Koula Marakis
150 East First South
Price, Utah

15. This Lease and Easement Agreement shall inure to the benefit of and be binding upon the heirs, successors, personal representatives and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

LESSORS:

Helen Marakis
Helen Marakis

NICK MARAKIS
Nick Marakis

Koula Marakis
Koula Marakis, his wife

AM

LESSEE:

KANAWHA AND HOCKING COAL AND
COKE COMPANY

By [Signature]
Its [Signature]

YH

10

STATE OF UTAH)
COUNTY OF Carbon) ss.

On the 6th day of August, 1976, personally appeared before me HELEN MARAKIS, NICK MARAKIS and KOULA MARAKIS, his wife, the signers of the above instrument, who duly acknowledged to me that they executed the same.


NOTARY PUBLIC
Residing at: Redwood

My Commission Expires:

4-2-78

STATE OF UTAH)
COUNTY OF Carbon) ss.

On the 13th day of August, 1976, personally appeared before me P. A. MARBLE, who being by me duly sworn, did say that he is the V.P. President of KANAWHA AND HOCKING COAL AND COKE COMPANY, and that the said instrument was signed on behalf of said corporation by authority of a resolution of its Board of Directors and the said P. A. MARBLE duly acknowledged to me that said corporation executed the same.


NOTARY PUBLIC
Residing at: Redwood

My Commission Expires:

4-2-78

P.A.M.

EXHIBIT A.

EXHIBIT A TO LEASE AND EASEMENT AGREEMENT
BETWEEN HELEN, NICK AND KOULA MARAKIS AND
KANAWHA AND HOCKING COAL AND COKE COMPANY

All of the Lessors' right, title, interest and estate in and to those certain lands situated in Carbon County, State of Utah, and more particularly described as follows:

Township 13 South, Range 6 East, Salt Lake Base & Meridian

- Section 12: All
Section 13: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$
Section 13: Beginning at the Northwest corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, thence East to the Northeast corner of SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 13, thence South to the intersection of Eccles Canyon Creek with the East Township line; thence Westerly along the center line of Eccles Canyon Creek to the point of beginning.
Section 24:

Township 13 South, Range 7 East, Salt Lake Base & Meridian

- Section 7: W $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 8: E $\frac{1}{2}$ E $\frac{1}{4}$, less and except the following described parcel amounting to 2 acres, more or less; Beginning at a point North 237.36 feet from the Southeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence North 204.38 feet; thence South 78°07' East 370 feet, more or less, to the West edge of the present Clear-Creek-Scofield Road; thence South 9° West 200.25 feet along the West edge of road; thence North 78°07' West 338 feet, more or less, to the point of beginning. Also less and except a tract of land for highway known as Project No. 0215, situated in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 8 and containing 3.09 acres. Subject to an easement over a tract of land 50 feet wide through the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 8, for the purpose of constructing and maintaining thereon a channel change for Clear Creek.
Section 9: W $\frac{1}{2}$ SW $\frac{1}{4}$, excepting, however, the existing right-of-way of Carbon County Railway Company and the right-of-way of the Utah Power and Light Company, a corporation.
Section 16: W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{4}$; subject to an easement over a tract of land containing .18 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ for the purpose of constructing and maintaining thereon a channel change for Clear Creek.

W.M.

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Section 17: Beginning at a point where the center line of Eccles Canyon Creek intersects the East boundary line of SE $\frac{1}{4}$ SW $\frac{1}{4}$, thence North to the Northeast corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$, thence West to the Northwest corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence South to a point where the center line of Eccles Canyon Creek intersects the West boundary of SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence Easterly along the center line of Eccles Canyon Creek to beginning. E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$; Less beginning at a point 985 feet West of the Northeast corner of said Section 17, thence West 335 feet; thence South 1420 feet; thence East 750 feet to State Road right-of-way; thence North 18°35' West 110 feet; thence North 31°00' West 374 feet; thence North 10°00' West 1020 feet more or less to beginning, containing 16.75 acres. Also, less and excepting a tract of land for highway known as Project No. 0215 situated in the E $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 17, containing 2.88 acres of land.

Also less and excepting a tract of land for highway known as Project No. 0215 situated in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 17, containing 6.11 acres, more or less.

Subject to an easement over a tract of land containing .76 acres situated in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 17, for the purpose of constructing and maintaining thereon a channel change for Clear Creek.

Subject also to an easement over a tract of land containing .76 acres situated in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 17, for the purpose of constructing and maintaining thereon a channel change for Clear Creek.

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Section 18: NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$; also, beginning at the point where the East boundary line of SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18 intersects with the center line of Eccles Canyon Creek and running thence North to the Northeast corner of SE $\frac{1}{4}$ SE $\frac{1}{4}$, thence West to the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 18, thence South to the intersection of the West line of SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18 with the center line of Eccles Canyon Creek; thence Easterly along the center line of Eccles Canyon Creek to the point of beginning.

Section 20: Beginning at a point where the center line of
Section 21: Broad Canyon Creek intersects with the North
boundary line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21,
thence Westerly along said center line to a
point where the center line of said creek in-
tersects with the North boundary line of the
NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, thence East to the point
of beginning.

Township 14 South, Range 7 East, Salt Lake Base & Meridian

~~Section 4: S $\frac{1}{2}$ SW $\frac{1}{4}$~~

~~Subject to any and all reservations, easements
rights of way and other restrictions of record
pertaining to the above described property.~~

91.977.

EASEMENT

THIS EASEMENT dated as of the ____ day of _____, 19__, by and between HELEN MARAKIS of 160 East First South, Price, Utah and NICK MARAKIS and KOULA MARAKIS, his wife, of 150 East First South, Price, Utah (hereinafter "Grantors"), and KANAWHA AND HOCKING COAL AND COKE COMPANY, a West Virginia corporation, P.O. Box 507, Clear Creek, Utah 84517 (hereinafter "Grantee");

WITNESSETH:

WHEREAS, the parties hereto have previously executed an instrument entitled Lease and Easement Agreement providing for the creation of perpetual easements and rights of way as herein provided, and

WHEREAS, Grantee has now provided Grantor with a description of the lands to be included in said easements,

NOW, THEREFORE, in consideration of the sum of TEN DOLLARS (\$10.00) paid to Grantors by Grantee, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

W.M.
1. Grant. Grantors hereby grant, convey, transfer and assign unto Grantee upon the terms hereinafter set forth perpetual easements and rights of way for the construction, location, use, maintenance and operation of access roads and a conveyor system over, in, under, across and along the following

EXHIBIT "B"

fo *KW*

described property situated in Carbon County, State of Utah,
and more particularly described as follows:

Including, but not limited to, the right to alter, add to, widen, repair, replace and/or remove upon or from the above described property any and all existing public or private roads across said property and the right to construct, locate, use, maintain and operate any such other and further facilities, buildings, structures and appurtenances as to Grantee may seem necessary in the carrying on of its mining operations. Together with the right to use such easements and rights of way for such other related and ancillary purposes as may be necessary or convenient in Grantee's operations on such easements and rights of way, including but not limited to the right to construct and maintain electrical transmission lines and communication lines with poles.

2. Use of Easements and Rights of Way. In conducting Grantee's operations upon the above described lands, Grantee will observe the following criteria:

- A.M.* (a) Any road, structure, building, facility or appurtenance constructed on the above described property by Grantee will be designed in such a manner as to make the most economical use of the above described lands consistent with Grantee's reasonable

mining needs.

(b) Grantee will construct, operate and maintain its facilities, buildings, structures and appurtenances on the above described property in such a manner that normal use thereof minimizes fire hazards.

(c) Grantee will not use or occupy the Property for any unlawful purposes; and will conform to and obey all present and future laws and ordinances, and all rules, regulations, requirements and orders of all governmental authorities or agencies, respecting the use and occupation of the above described property.

(d) Grantee will limit and control pollution of the air and water to the fullest extent practicable consistent with workmanlike mining operations and will conform to and obey all present and future laws and ordinances, and all rules, regulations, requirements and orders of all governmental authorities having jurisdiction over the above described property respecting pollution of the air and water.

22.911, (e) Grantee will indemnify and save harmless Grantors from and against any loss, damage and liability occasioned by, growing out of, or arising or resulting from Grantee's use and occupation of said property, or from any tortious or negligent act on the part of Grantee, its agents or employees.

3. Existing Interests. Nothing herein contained

shall be construed to waive, relinquish, or in any manner modify except as it shall add to, any right, privilege or interest of Grantee existing at the time of execution hereof.

4. Warranty of Title. Grantors hereby warrant that, excepting liens for ad valorem taxes which are not yet due and payable, they have good and marketable title to the lands described herein.

5. Compliance with Terms. The failure of Grantee to comply with any of the terms hereof shall not result in forfeiture of any interest conveyed hereby but Grantor shall have a cause of action to compel compliance with the terms hereof or for damages.

6. Taxes. Grantors shall pay or cause to be paid all taxes and assessments upon the fee estate in the lands described herein. Grantee shall pay all taxes and assessments upon conveyor systems and any improvements, buildings, facilities, structures or appurtenances which it may place upon the herein described lands and shall have such property assessed in its name.

7. Enforcement. In the event either party is compelled to enforce the terms hereof, the prevailing party shall be awarded its costs of enforcement, including a reasonable attorney's fee.

9.19.11
8. Successors. This easement and right of way shall inure to the benefit of and be binding upon the heirs, successors, personal representatives and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this easement and right of way as of the day and year first above written.

GRANTORS:

Helen Marakis

Nick Marakis

Koula Marakis, his wife

GRANTEE: KANAWHA AND HOCKING COAL AND COKE COMPANY

ATTEST:

By _____
Vice President

Assistant Secretary

STATE OF)
 : ss.
COUNTY OF)

On this ____ day of _____, 1976, personally appeared before me HELEN MARAKIS, NICK MARAKIS and KOULA MARAKIS, his wife, Grantors in the foregoing Easement, who duly acknowledged to me that they executed the same.

AM

My Commission Expires: _____

NOTARY PUBLIC
Residing at: _____

AM

STATE OF UTAH)
 : ss.
COUNTY OF)

On this ____ day of _____, 1976, personally ap-
peared before me ROGER A. MARKLE and RICHARD K. SAGER, who being
by me first duly sworn, did say that they are the Vice President
and Assistant Secretary, respectively, of KANAWHA AND HOCKING
COAL AND COKE COMPANY, a West Virginia corporation, and Grantee
in the foregoing Easement, and that the foregoing Easement was
signed in behalf of said corporation by authority of a resolu-
tion of its Board of Directors, and said ROGER A. MARKLE and
RICHARD K. SAGER acknowledged to me that said corporation exe-
cuted the same.

94.911.

NOTARY PUBLIC
Residing at: _____

My Commission Expires:

LEASE

THIS LEASE made and entered into as of the 1st day of January, 1979, by and between DELLA L. MADSEN of Meadow, Utah 84644, and ROBERT G. HAMMOND and HILDA M. HAMMOND, his wife, of 2912 Redwood Avenue, Costa Mesa, California 92626 (hereinafter "Lessors") and KANAWHA AND HOCKING COAL AND COKE COMPANY, a West Virginia corporation, whose Utah address is Scofield Route, Helper, Utah 84526 (hereinafter "Lessee");

WITNESSETH:

1. Lessors hereby lease and let to Lessee for its exclusive use and possession upon the terms and conditions hereof the lands (hereinafter the "Property") situate in Carbon County, Utah, more fully described in Exhibit "A" attached hereto and by this reference made a part hereof, for a primary term of twenty-five (25) years beginning on the 1st day of January, 1979.

2. Lessee agrees to pay and Lessors agree to accept as rent for the Property during the term of this Lease the following sums:

a. During the first year of this Lease, the sum of Two Thousand Five Hundred Dollars (\$2,500.00), payable in advance upon execution of this Lease.

b. During the remaining term of this Lease an amount each year, payable in advance, to be calculated as follows:

(i) Two Thousand Five Hundred Dollars (\$2,500.00), plus

(ii) An amount to be determined annually equal to Two Thousand Five Hundred Dollars (\$2,500.00) multiplied by the proportionate percentage increase if any, in the Producers Price Index - All Commodities formerly known as the Wholesale Price Index - All Items (hereinafter PPI) issued by the

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G.L.M.*

Bureau of Labor Statistics. The percentage increase in the PPI shall be calculated by using the November, 1978 PPI as base (which figures is 215.7) and the November PPI of each year thereafter to determine the percentage increase. If there has been no change or a decrease in the PPI, no adjustment in the annual rental from the previous year will be made.

Payment of such rental shall be made to the party and at the address hereinafter specified, the first payment to be made upon execution of this Lease for the payment due January 1, 1979, and subsequent payments to be made at the same address on or before the 1st day of January annually thereafter.

3. Lessee shall pay all property taxes and special assessments, both ad valorem and otherwise, levied against the Property during the term of this Lease. Lessee agrees that it will also pay all property and ad valorem taxes and special assessments levied against any building, facility, structure or appurtenance Lessee may elect to construct on the Property, and that it will pay and receive all benefits from all insurance on said buildings, facilities, structures or appurtenances or any replacement thereof, and all costs of operation, maintenance and repair of the buildings, facilities, structures or appurtenances or any replacement thereof, and all utility charges including, but not limited to, water, gas, lights, sewer services, telephone and garbage disposal.

4. Lessee is hereby granted the exclusive use, possession and occupancy of the Property during the term of this Lease. Such use, possession and occupancy shall include, but not be limited to, any and all uses in connection with or incidental to the general business purposes of Lessee whether conducted on the Property or otherwise, such as the conduct of environmental investigations and environmental protection measures, the exploration for and conduct of mining operations for coal and other minerals by any method specifically including both surface and

*WALK
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RLL
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underground mining, the location of, preparation for, development and operation of roads, pipelines, conveyors, structures, buildings, facilities, transportation corridors, rights of way or easements and the transportation of, manufacturing, storing and refining of coal and other minerals whether produced from the Property by Lessee or otherwise.

5. Lessee covenants that it will:

a. Pay rent at the times and place and in the manner aforesaid.

b. Not use or occupy the Property for any unlawful purposes, and will conform to and obey all present and future laws and ordinances, and all rules, regulations, requirements and orders of all government authorities or agencies, respecting the use and occupation of the Property.

c. Limit and control pollution of the air and water to the fullest extent practicable consistent with workmanlike mining operations and to conform to and obey all present and future laws and ordinances, and all rules, regulations, requirements and orders of all governmental authorities having jurisdiction over the Property respecting pollution of the air and water.

d. Indemnify and save harmless Lessors from and against any loss, damage and liability occasioned by, growing out of, or arising or resulting from Lessee's use and occupation of the Property, or from any tortious or negligent act on the part of Lessee, its agents, employees, or other persons that the Lessee might reasonably be expected to have control over.

6. Lessors covenant and warrant:

a. That Lessors have good and marketable title to the Property, free and clear of all liens and encumbrances.

b. If Lessee shall pay rent as herein provided and shall keep, observe and perform all the other covenants

*WMS
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of this Lease by it to be kept, performed and observed, Lessee shall and may peaceably, quietly and exclusively have, hold and enjoy the Property for the purposes set forth and for the term herein provided.

7. It is further agreed:

a. That any purchaser, assignee, mortgagee, or pledgee of the Lessors' interest in the Property or this Lease or the Lessee's interest in this Lease, shall be bound by the terms of this Lease.

b. That any road, structure, building, facility or appurtenance constructed on the Property by Lessee shall be designed in such a manner as to make the most economical use of the land consistent with Lessee's reasonable mining needs.

c. That Lessee shall not be responsible nor liable to Lessors for any damage done to the Property by third parties including, but not limited to, any public use of the Property.

d. That Lessee shall have the right at any time, and from time to time, to redeem for Lessors by payment, any mortgages, or other liens on the Property in the event of default of payment by Lessors, and Lessee shall be subrogated to the rights of the holder thereof and shall be entitled to the reimbursement of any and all such payments through the withholding of rents otherwise due and payable hereunder.

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RWR
2/2/79*
e. That Lessors shall deliver possession of said Property to Lessee on or before the 1st day of January, 1979, free and clear of any use or occupation by Lessors, their successors, heirs or assigns.

f. That if Lessee shall at any time be in default in the payment of rent herein reserved, or in the performance of any of the covenants, terms and conditions or provisions of this Lease, and the Lessee shall fail to

remedy such default within sixty (60) days after written notice thereof from the Lessors, or such longer period as may be necessitated by conditions of weather or terrain or other conditions relative to such remedy, then such default or failure of performance shall confer upon Lessors a cause of action for damages if they are injured by said default but shall not result in forfeiture of any interest conveyed hereby,

8. If Lessee shall obtain from the owner of the mineral estate the right to mine and remove coal or other minerals from the Property, Lessee shall pay to Lessors a royalty on all coal or other minerals mined, removed from the Property, and sold or otherwise disposed of, in the amount of two percent (2%) of the value of the coal or other minerals mined and removed during a surface mining operation of one percent (1%) of the value of the coal or other minerals mined and removed during an underground operation. The value of coal or other minerals mined and removed from the Property and the time of payment of royalty hereunder shall be the same as said items are determined and defined for the payment of royalties under leases issued by the Federal government on the mineral estate in the Property. As additional consideration to Lessors for the execution of this Lease, if Lessee or its affiliate is producing coal in Carbon County, Utah, Lessor shall have the option to receive or purchase coal produced from Lessee's operations on the same terms and conditions as such coal is received or purchased by the employees of Lessee, or Lessee's affiliated company. The payment of said royalty and the receipt or purchase of such coal, if any, shall be accepted by Lessors as full and complete compensation for any and all damage to the surface of the Property including any of Lessors' improvements thereto and Lessee shall have no additional responsibility for, nor shall Lessee be held liable for any damage to the surface of the Property that might be incurred by Lessors through destruction of the surface, subsidence or otherwise because of Lessee's coal mining

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operations. In addition, Lessors specifically hereby consent to any and all surface or underground mining operations of the Lessee as such consent may now or hereafter be required by the provisions of Section 714 of the Surface Mining Control and Reclamation Act of 1977, as amended. Notwithstanding the rights and privileges granted hereunder, including the provisions of this paragraph 8, if Lessee shall conduct mining operations on the Property, Lessee shall, prior to the termination of this Lease and as required by state and federal law, restore the Property to a condition capable of supporting uses of the Property in existence prior to the commencement of any such mining operations. Such restoration by Lessee shall be reasonable under the circumstances and shall include such actions as grading, top soil replacement, and revegetation.

Lessee shall keep full and complete records including, but without limitation, copies of all plats, maps, reports and statements relating to its operations on the Property and to the mining, removal and disposition of coal from the Property. Lessors shall have the right to inspect all such records at reasonable times for the purpose of determining the amount of royalty payable. Lessee shall provide to Lessors a copy of the reports concerning royalty payments required to be filed in connection with any lease from the federal government. The amount of coal mined and its value as determined in said reports, when accepted by the federal government, shall be binding on Lessors.

9. Lessee shall have the right to use, free of cost, water produced or found on the Property for Lessee's operations, whether on the Property or otherwise, except water from the wells and reservoirs of Lessors, if any.

10. Upon expiration of the primary term of this Lease, or any yearly extension thereof, this Lease shall be automatically extended for an additional year upon the terms herein set forth, unless Lessee shall give Lessors written notice of Lessee's intention to terminate this Lease at least ten (10) days

*WMSU
7/17/74
R. S. H.
10/2/74*

prior to the expiration of the current rental period.

11. If at any time during the period of this Lease, Lessors shall desire to sell all or a portion of the Property to any person or persons other than a member or members of Lessors' immediate family, Lessors shall notify Lessee of the terms then offered and acceptable to Lessors for such sale and shall provide Lessee first opportunity within sixty (60) days to purchase the Property on the same terms. If Lessee does not elect to purchase the Property, Lessors shall be free to dispose of the Property on such terms subject, however, to the terms and conditions of this Lease.

12. In case of default by any party hereto, the necessary costs of enforcement of the terms hereof, including attorneys' fees, shall be assessed against the defaulting party. Utah law shall govern the interpretation of this Lease.

13. Nothing herein contained shall be construed to waive, relinquish, or in any manner modify any right or interest of Lessee in the Property existing at the time of execution of this Lease. Lessee shall have the right at any time and from time to time to remove all machinery, fixtures or other improvements placed on the Property by Lessee.

14. All notices and payments required hereunder shall be personally delivered or mailed, by registered or certified mail, postage prepaid, and, if mailed, shall be deemed timely if postmarked on or before the last day of the period in which such notice may be given or payment made. Changes in name of Lessors shall be made by written notice to Lessee with evidence satisfactory to Lessee of such change in ownership. Changes in name and address of Lessee or address of Lessors shall be by written notice. Lessee's address for the purpose of all notices shall be:

Handwritten initials:
VMS
7/1/54
RSL
WRT

Kanawha and Hocking Coal and
Coke Company
Scofield Route
Helper, Utah 84526

Lessors' address for the purpose of such notices and payments shall be:

Robert G. Hammond
2912 Redwood Avenue
Costa Mesa, California 92626

15. This Lease shall inure to the benefit of and be binding upon the heirs, successors, personal representatives and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and year first above written.

LESSORS:

Della R. Madsen
Della R. Madsen

Robert G. Hammond
Robert G. Hammond

Hilda M. Hammond
Hilda M. Hammond

LESSEE:

KANAWHA AND HOCKING COAL AND COKE COMPANY

By W. H. Haggerty
Its Vice President

STATE OF UTAH)
COUNTY OF MILLARD) ss.

On the 11 day of Dec., 1979 personally appeared before me DELLA R. MADSEN, the signer of the above instrument, who duly acknowledged to me that she executed the same.

*WHD
ZLMT
RSH
10/27*

Owe E. Beckstrand
NOTARY PUBLIC
Residing at: Meadow

My Commission Expires:
AUG. 30, 1981

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

On the 30th day of November, 1979, personally appeared before me ROBERT G. HAMMOND and HILDA M. HAMMOND, his wife; the signers of the above instrument, who duly acknowledged to me that they executed the same.



Frances Penn

NOTARY PUBLIC
Residing at: Orange County, California

My Commission Expires:
September 6, 1981

STATE OF UTAH)
) ss.
COUNTY OF CARBON)

On the 12th day of December, 1979; personally appeared before me, W. H. Haynes Sr., who being by me duly sworn, did say that he is the Vice President of KANAWHA AND HOCKING COAL AND COKE COMPANY, a West Virginia corporation, and that said instrument was signed on behalf of said corporation by authority of a resolution of its Board of Directors and said W. H. Haynes Sr. duly acknowledged to me that said corporation executed the same.

W. H. Haynes Sr.

NOTARY PUBLIC
Residing at: Welpen Utah

My Commission Expires:
MY COMMISSION EXPIRES 9-11-81

*Small
Handwritten notes*

EXHIBIT A

Township 13 South, Range 7 East, SLB&M

Section 19: E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 20: W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 29: NW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 30: E $\frac{1}{2}$, NE $\frac{1}{2}$ NW $\frac{1}{4}$

Subject to the following Easements and Rights of Way:

1. An Easement in favor of Utah Natural Gas Company dated July 16, 1953 and recorded September 23, 1953 in Book 23 of Records, pages 97-98
2. A Pole Line Easement in favor of Utah Power & Light Company dated September 24, 1953 and recorded January 13, 1954 in Book 24 of Records, page 461.
3. An Easement in favor of Utah Natural Gas Company dated August 3, 1954 and recorded August 25, 1954 in Book 28 of Records, pages 201-202.
4. A Right of Way and Easement Grant in favor of Mountain Fuel Supply Company and Utah Natural Gas Company dated August 8, 1961 and recorded August 24, 1961 in Book 74 of Records, pages 81-83.
5. A Right of Way and Easement Grant in favor of Mountain Fuel Supply Company and Utah Natural Gas Company dated November 18, 1968 and recorded July 29, 1969 in Book 117 of Records, pages 85-87.

*WMAU
at 7/27/68
RLL
W.L.M.*

Entry No. 1342
Indexed ✓
Abstracted ✓
Rec. Fee 5.50

STATE OF UTAH
COUNTY OF CARBON
FILED AND RECORDED
VanCott, Bagley,
SEP 12 11 08 AM
BOOK 155 OF RECORDS
PAGE 440-441-442
ANN O'BRIEN
COUNTY RECORDER

MEMORANDUM OF LEASE

This Memorandum of Lease entered into as of the 14 day of AUGUST, 1975, by and between MILTON A. OMAN and BESSIE G. OMAN, his wife, hereinafter referred to as "Lessors", and KANAWHA AND HOCKING COAL AND COKE COMPANY, a West Virginia corporation, hereinafter referred to as "Lessee":

In consideration of the terms and provisions set forth in that certain Lease dated August 14, 1975, hereinafter called the "Lease", between Lessors and Lessee, Lessors hereby lease to Lessee and Lessee hereby leases from Lessors all of the following described real property situate in Carbon County, Utah, to wit:

A 40-acre parcel lying within the Southwest Quarter of Section 19, or the North half Northwest Quarter of Section 30, or both, Township 13 South, Range 7 East, SLBM; together with a right of way crossing Sections 19 and 20, and the North half Northwest Quarter of Section 30, Township 13 South, Range 7 East, SLBM; together with a right of way not to exceed 40 feet in width, from a point within the Southwest Quarter of Section 19, or the North half Northwest Quarter of Section 30, or both, in a direct line Northeast to a transfer point in Eccles Canyon lying within the North half North half of Section 19, or the South half South half of Section 18 South of Eccles Creek, or both; thence easterly through the South half South half of Sections 17 and 18 South of Eccles Creek, or the North half North half of Sections 19 and 20, or both, all within Township 13 South, Range 7 East, SLBM.

The term of said Lease is twenty (20) years, or until such time before or thereafter as Lessee shall notify Lessors that it no longer needs said property for mining purposes.

Information regarding the terms of said Lease may be obtained from Lessors at American Savings & Loan Building, Main Street, Salt Lake City, Utah, and from counsel for Lessee,

Mad

Van Cott, Bagley, Cornwall & McCarthy, Suite 300, 141 East
First South Street, Salt Lake City, Utah.

IN WITNESS WHEREOF, the parties hereto have executed
this Memorandum of Lease as of the date first above written.

LESSORS: Milton A. Oman
MILTON A. OMAN

Bessie G. Oman
BESSIE G. OMAN

LESSEE: KANAWHA AND HOCKING COAL AND
COKE COMPANY

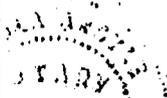
ATTEST:

Richard L. Seyer
Assistant Secretary

By William
Vice President

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On this 22nd day of August, 1975, personally
appeared before me MILTON A. OMAN and BESSIE G. OMAN, the
signers of the above and foregoing Memorandum of Lease, who
acknowledged to me that they executed the same.



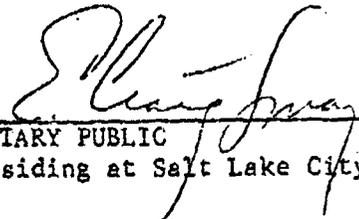
Donald A. Craig
NOTARY PUBLIC
Residing at Salt Lake City, Utah

My Commission Expires:
July 23, 1977

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On this 18th day of August, 1975, personally
appeared before me ROGER A. MARKLE, who, being by me duly sworn,
did say that he is the Vice-President of KANAWHA AND HOCKING
COAL AND COKE COMPANY, a West Virginia corporation, and that the

within and foregoing Memorandum of Lease was signed on behalf of said corporation by authority of a resolution of its Board of Directors and said ROGER A. MARKLE duly acknowledged to me that said corporation executed the same.


NOTARY PUBLIC
Residing at Salt Lake City, Utah

My Commission Expires:

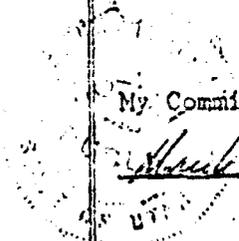

March 20, 1978

EXHIBIT H

WORD. CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

10/23/93

MCIG-Kentucky
 Lexington Green Two, Suite 410
 101 Nicholasville Road
 Lexington, KY 40503-3311
 606-273-6600

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

COMPANY LETTER	A	Federal Insurance Company
COMPANY LETTER	B	
COMPANY LETTER	C	
COMPANY LETTER	D	
COMPANY LETTER	E	

INSURED
 White Oak Mining & Const. Co.
 PO Box 1409
 Pikeville
 KY 41501

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. *See Below

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR. <input type="checkbox"/> OWNER'S & CONTRACTOR'S PROT. <input checked="" type="checkbox"/> XCU Included	3710-45-17	9/16/93	9/16/94	GENERAL AGGREGATE \$ 2000000
					PRODUCTS-COMP/OP AGG. \$ 1000000
					PERSONAL & ADV. INJURY \$ 1000000
					EACH OCCURRENCE \$ 1000000
					FIRE DAMAGE (Any one fire) \$ 100000
					MED. EXPENSE (Any one person) \$ 10000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> GARAGE LIABILITY	BAP7320-38-21	9/16/93	9/16/94	COMBINED SINGLE LIMIT \$ 1000000
					BODILY INJURY (Per person) \$
					BODILY INJURY (Per accident) \$
					PROPERTY DAMAGE \$
	EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM				EACH OCCURRENCE \$
					AGGREGATE \$
	WORKER'S COMPENSATION AND EMPLOYERS LIABILITY				STATUTORY LIMITS
					EACH ACCIDENT \$
					DISEASE-POLICY LIMIT \$
					DISEASE-EACH EMPLOYEE \$

RECEIVED

NOV 03 1993

DIVISION OF OIL, GAS & MINING

DESCRIPTION OF OPERATIONS, LOCATION, VEHICLES/SPECIAL ITEMS

Permit #A071007/0000 Belina Mine Complex, located: Mine Rd., off Eccles Canyon Rd., off Rt. 96, Near Scofield, UT. *Occurrence limits are not reduced by paid claims only Aggregate limits as provided by the ISO insurance form on policy.

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL MAIL 5 45 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

Utah Dept of Natural Resources
 Div. of Oil, Gas & Mining
 355 W. North Temple
 3rd Trade Center, Ste 350
 Salt Lake City, UT 84143-1203

AUTHORIZED REPRESENTATIVE

Richard W. Kattfeld

069353000
 069353000

WORD CORPORATION 1993

**McDonough
Caperon
Insurance
Group**
✱

RECEIVED

OCT 26 1993

DIVISION OF
OIL, GAS & MINING

October 26, 1993

Ms. Denise A. Drago
Fabian & Clendenin
Attorneys At Law
P. O. Box 510210
Salt Lake City, UT 84151

VIA FACSIMILE

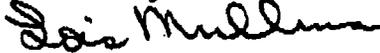
Re: White Oak Mining & Construction Co.
Liability Certificate
Policy #3710-45-17

Dear Denise:

We are enclosing the revised certificate of liability to the Utah Dept. of Natural Resources with the changes that they have requested. We cannot delete the statement under coverages that says "Limits shown may have been reduced by paid claims". However, I have included a notation in the description of operations to the effect that the occurrence limits are not affected by this statement, only the aggregate limit.

Hopefully, this revised certificate will satisfy the necessary requirements of the Utah Dept. of Natural Resources. If you have any questions regarding the following, please let me know. Thank you.

Sincerely,



Lois Mullins
Account Supervisor

Number of pages including cover letter (2).

McDonough Caperon Insurance Group

Lexington Green Two, 3201 Nicholasville Road, Suite 410, Lexington, KY 40503-3311 (606)273-6600 Fax: (606)273-6688

An American Business Insurance Company



AGORD. CERTIFICATE OF INSURANCE ISSUE DATE (MM/DD/YY) 10/26/93

PRODUCER
 MCI@-Kentucky
 Lexington Green Two, Suite 410
 3201 Nicholasville Road
 Lexington, KY 40503-3311
 806-273-8600

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
 White Oak Mining & Const. Co.
 PO Box 1408
 Pikeville
 KY 41501

COMPANIES AFFORDING COVERAGE

COMPANY LETTER A	Federal Insurance Company
COMPANY LETTER B	
COMPANY LETTER C	
COMPANY LETTER D	
COMPANY LETTER E	

COVERAGE
 THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. *See Below

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					PRODUCTS-COMP/OP AGG. \$ 100000
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					EACH OCCURRENCE \$ 100000
	<input type="checkbox"/> EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM				FIRE DAMAGE (Any one fire) \$ 100000
	<input type="checkbox"/> WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY				COMBINED SINGLE LIMIT \$ 1000000
	<input type="checkbox"/> OTHER				BODILY INJURY (Per accident) \$
					EACH OCCURRENCE \$
					AGGREGATE \$
					STATUTORY LIMITS
					EACH ACCIDENT \$
					DISEASE-POLICY LIMIT \$
					DISEASE-EACH EMPLOYEE \$

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS
 Permit #ACT/007/001, Beline Mine Complex, located: Mine Rd., off Eccles Canyon Rd., off Rt. 96, Near Scofield, UT. *Occurrence limits are not reduced by paid claims only Aggregate limits as provided by the ISO insurance form on policy.

CERTIFICATE HOLDER
 Utah Dept of Natural Resources
 Div. of Oil, Gas & Mining
 355 W. North Temple
 3 Triad Center, Ste. 350
 Salt Lake City, UT 84140-1203

CANCELLATION
 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ~~MAIL~~ MAIL 45 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Richard W. Hatfield 059353000