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March 20, 2003

SALT LAKE CITY, UTAH

PHOENIX, ARIZONA

TUCSON, ARIZONA

IRVINE, CALIFORNIA

DENVER, COLORADO

LAS VEGAS, NEVADA

Pamela Grubaugh-Littig, Permit Supervisor
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801**RE: Whiskey Creek Mine, Permit No. C/007/001**

Dear Ms. Littig:

Enclosed is an application for authority to transact business in Utah which was filed today with the Utah Division of Corporations and Commercial Code. Also attached is a certificate of good standing from Commonwealth of Virginia confirming that KTK Mining of Virginia, LLC, is a limited liability company formed under the laws of Virginia effective as of July 16, 1999.

Thank for your assistance in this matter.

Very truly yours,



Denise A. Dragoo

DAD:jmc:245863

Enclosure

cc: Mary Ann Wright (via e-mail, without enclosures)
Scott Kiscaden (via e-mail, without enclosures)
John Madison (via e-mail, without enclosures)
Mark Wayment (via e-mail, without enclosures)

*Incoming
C/007/001
Copy Pam*

RECEIVED

MAR 24 2003

DIV. OF OIL, GAS & MINING



State of Utah
 DEPARTMENT OF COMMERCE
 Division of Corporations & Commercial Code

This form must be type written or computer generated. For your convenience, this form has been designed to be filled out and printed online.

File Number _____

Non-Refundable Processing Fee: \$50.00
 Registration **RECEIVED**

MAR 20 2003

Utah Div. of Corp. & Comm. Code

EXPEDITE

Application for Authority to Transact Business

KTK Mining of Virginia, LLC

Exact Name of Foreign Limited Liability Company

CLS

03-20-03 P12:39 IN

- This limited liability company of the state or country of Virginia, hereby applies for authority to transact business in the state of Utah.
- Date of formation or organization 7/16/1999 and duration period of perpetual.
- The street address of the registered office in the State of Utah, and the name of the registered agent for service of process at the registered office, (the agent shall be a person residing or authorized to do business in the State of Utah). ***The signature of the authorized signer represents the irrevocable written consent of the foreign limited liability company that actions may be commenced against it in the proper court of any county where there is proper venue by the service of process on its registered agent, and if the agent has resigned, the agents authority has been revoked or the agent cannot be found, then on the director of the division, and stipulating and agreeing that this service shall be taken and held, in all courts, to be as valid and binding as if service had been made upon the members of the foreign limited liability company.
 Corporation Service Company, 10 E. South Temple, Suite 900, Salt Lake City, UT 84133 UTAH
 Registered Agent Name Street Address City State Zip
- Principal place of business:
Post Office Box 1916, Mechanicsville, VA 23116
 Street Address City State Zip
- The nature of the business or purpose(s) to be conducted or promoted in Utah Contracting

6. Clear indication of who is managing the company is required.

Is this foreign limited liability company manager-managed? Yes, No.

If YES, you must list the name and business or residence street address of each manager.

| Name | Address | City/State | Zip |
|-------------------------|--|------------|-----|
| MANAGER: Todd Kiscaden, | Post Office Box 1916, Mechanicsville, VA | 23116 | |
| MANAGER: John Madison, | Post Office Box 1916, Mechanicsville, VA | 23116 | |

Please list additional managers (if any) on an attachment

Is this foreign limited liability company member-managed? Yes, No.

If YES, you must list the name and business or residence street address of each member.

| Name | Address | City/State | Zip |
|---------------|---------|------------|-----|
| MEMBER: _____ | | | |
| MEMBER: _____ | | | |

Please list additional members (if any) on an attachment

If a foreign entity is a member or manager, you must list the home state where the entity is registered: _____

7. The date the limited liability company intends to first transact business in Utah: Upon approval of this Application

8. A Certificate of Good Standing/Existence from the state of organization dated no earlier than ninety (90) days prior to filing with the Division is attached hereto.

9. The limited liability company shall use as its name in Utah: KTK Mining of Virginia, LLC

(The limited liability company shall use its name as set forth at the top of this form unless the name is not available for use in Utah.)

Under penalties of perjury, I declare as a manager or member with management authority of this limited liability company having authority to sign hereto, that this application for authority to transact business has been examined by me and is, to the best of my knowledge and belief, true, correct and complete.

By: [Signature] MANAGER
 Limited Liability Company Authorized Signer Signature

JOHN MADISON, MANAGER
 Typed Name & Title

RECEIVED

MAR 24 2003

DIV. OF OIL, GAS & MINING

Mail In: PO Box 146705
 Salt Lake City, UT 84114-6705
 Walk In: 160 East 300 South, Main Floor
 Information Center: (801) 530-4849
 Toll Free: (877) 526-3994 (within Utah)
 Fax: (801) 530-6438
 Web Site: <http://www.commerce.utah.gov>

Date: 03/20/2003
 Receipt Number: 815922
 Amount Paid: \$125.00

Under GRAMA (63-2-201), all registration information maintained by the Division is classified as public record. For confidentiality purposes, the business entity physical address may be provided rather than the residential or private address of any individual affiliated with the entity.

Commonwealth of Virginia



State Corporation Commission

I Certify the Following from the Records of the Commission:

A certificate of organization was issued by the Commission to KTK Mining of Virginia, LLC, a limited liability company formed under the laws of VIRGINIA, effective as of July 16, 1999.

This certificate is in effect as of this date.

Nothing more is hereby certified.

*Signed and Sealed at Richmond on this Date:
March 17, 2003*



Joel H. Peck

Joel H. Peck, Clerk of the Commission