

October 3, 2003

Via FedEx

William T. Gorton, III, Esq.
Stites & Harbison, PLLC
250 West Main Street, Suite 2300
Lexington, Kentucky 40507

Re: Final Documents for White Oak Reclamation

Dear Bill:

Enclosed are five signed original copies of the Reclamation Agreement, five signed original copies of the Escrow Agreement, and five unsigned copies of the Reclamation Contract. Attached to the Reclamation Agreement is a copy of the faxed signatures from the representatives of the Office of Surface Mining together with DOGM's signatures. Would you please obtain the signatures, as necessary, of Frontier, Bank One, Leducor, and yourself on the five originals. Then, would you please distribute these fully executed originals to each party: DOGM, OSM, Leducor, Bank One, and Frontier.

The Reclamation Plan will be finalized by you and Mary Ann Wright, and will need to be added to the set of documents returned to the parties. Please advise if this will cause any problems, otherwise we will leave the further execution of these documents in your hands.

Sincerely,

Steve Alder, Esq.

an
Enclosure
cc: Lowell Braxton, DOGM
O:\007001.WO\FINAL\BGORTONFINALDOCS.DOC