

*Caren Hobbes*

AMENDMENT TO THE AGREEMENT BY AND BETWEEN BLACKHAWK COAL COMPANY AND UTAH DIVISION OF OIL, GAS AND MINING DATED MAY 16, 1989

The Utah Division of Oil, Gas and Mining ("the Division") assumes any and all liability for any injury or death resulting from the maintenance of the road by their contractor.

If the Division's operations within the Blackhawk Coal Company's permit area cause surface disturbance which requires maintenance, the Division will be responsible for the implementation of all maintenance measures including but not limited to the establishment of vegetation, if required. In areas disturbed and revegetated by the Division, the Division will waive all requirements of UMC 817.116 Revegetation Standards For Success as conditions of bond release.

The Division will be responsible for maintaining the road in accordance with the design as shown in the Blackhawk Coal Company Willow Creek Site Final Closure and Reclamation Plan.

*Lowell P Braxton*

3-31-90

Lowell P. Braxton  
Associate Director for Mining  
Division of Oil, Gas and Mining

March 31, 1990