

AFFIDAVIT OF PUBLICATION

ACT/007/004 #3
Copy from

STATE OF UTAH)

SS.

County of Carbon,)

I, Kevin Ashby, on oath, say that I am the Publisher of the Sun Advocate, a twice-weekly newspaper of general circulation, published at Price, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and that the first publication was on the 30th day of August, 1994 and that the last publication of such notice was in the issue of such newspaper dated the 20th day of September, 1994.



Kevin Ashby - Publisher

Subscribed and sworn to before me this 20th day of September, 1994



Notary Public My commission expires January 10, 1995 Residing at Price, Utah

Publication fee, \$332.80

NOTICE OF APPLICATION FOR RENEWAL OF A PERMIT

Notice is hereby given that Amax Coal Company, One Riverfront, 20 N.W. 1st Street, Evansville, Indiana 47708, has submitted an application to the State of Utah, Department of Natural Resources, Division of Oil, Gas and Mining (the Division) for renewal of Permit No. ACT/007/004 to operate the Castle Gate Coal Mine under the provisions of the Utah Coal Mining and Reclamation Act (Utah Code Ann. 40-10-1 et seq.) and the Utah R645 Coal Mining Rules. In addition, a Significant Permit Revision has been filed with the Division which includes a request for a variance from approximate original contour in conjunction with reclamation of the pre-SMCRA highwalls in Hardscrabble Canyon. The request for variance is in conformance with R645-301-553.600.

The Castle Gate Coal Mine is owned by Amax Coal Company, a subsidiary of Cyprus Amax Coal Company, a subsidiary of Amax Energy Inc. which is wholly owned by Cyprus Amax Mineral Company, a Delaware corporation. Several areas within Carbon County comprise the Castle Gate Coal Mine including parcels in Price River Canyon along routes U.S. 6 and 50, Crandall Canyon, Sowbelly Canyon (Gulch), and Hardscrabble Canyon.

A legal description of the lands involved in the Castle Gate Coal Mine permit is as follows:

Township 12 South, Range 9 East, SLBM

Portions SE $\frac{1}{4}$, SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22; Section 26 all except for E $\frac{1}{2}$ E $\frac{1}{2}$; Section 27; Section 28; Section 29 all except N $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$; Section 30 all except N $\frac{1}{2}$ N $\frac{1}{2}$, Section 31; Section 32; Section 33; Section 34; portions of N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35; S $\frac{1}{2}$ NW $\frac{1}{4}$ and portions of SW $\frac{1}{4}$ and NE $\frac{1}{4}$ of Section 36.

Township 13 South, Range 9 East, SLBM

Portion of NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, portions of NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of Section 2, NW $\frac{1}{4}$ and portions of NE $\frac{1}{4}$, SE $\frac{1}{4}$, and SW $\frac{1}{4}$ of Section 3, N $\frac{1}{2}$ and portions of SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of Section 4; NE $\frac{1}{4}$ and portions of NW $\frac{1}{4}$, SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of Section 5; N $\frac{1}{2}$ and portions of SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 6; portion of NE $\frac{1}{4}$ of Section 8, portions of NE $\frac{1}{4}$, NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of Section 9; portions of NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of Section 10.

The permit area also includes the following property which is the responsibility of other parties:

Township 12 South, Range 9 East, SLBM

Section 36, portion.

Township 12 South, Range 10 East, SLBM

Section 31, portion.

Township 13 South, Range 9 East, SLBM

Section 1, portion.

Township 13 South, Range 10 East, SLBM

Section 6, portion, Section 10, portion, Section 16, portion.

The project area is shown on the following U.S. Geological Survey 7.5-minute maps:

Standardville, Kyune, Matt's Summit, Helper and Deadman Canyon.

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 and Mining
355 West North Temple
III Triad Center, Suite 350
Salt Lake City, Utah 84108

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