

0043



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

AG 1007/004
#4

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

February 16, 1996

Mary Wong
Risk Consultant
Cyprus Amax Mineral Company
9100 East Mineral Circle
Post Office Box 3299
Englewood, Colorado 80155-3299

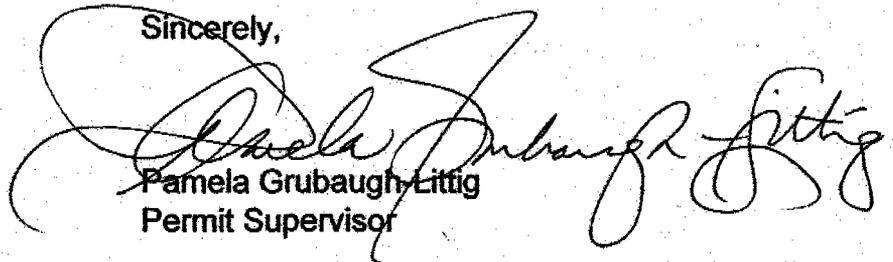
Re: Copy of Rider, Bond No. 929 80 55, AMAX Coal Company, Castle Gate Mine,
ACT/007/004, Folder #4, Carbon County, Utah

Dear Ms. Wong:

I am enclosing the bond rider signed by the Director that acknowledges acceptance of the rider to Bond No. 929 80 55 that increased the bond from \$4,415,505 to \$6,757,451.

If you have any questions, please call me.

Sincerely,



Pamela Grubaugh Littig
Permit Supervisor

Enclosure

cc: Johnny Pappas, Cyprus Plateau Mining Corporation





**CYPRUS AMAX
MINERALS COMPANY**

FEB 12 1996

Cyprus Amax Minerals Company
9100 East Mineral Circle
Post Office Box 3299
Englewood, Colorado 80155-3299
(303) 643-5000

February 8, 1996

Ms. Pamela Grubaugh-Littig
Division of Oil-Gas & Mining
355 W. North Temple
3 Triad Center, Ste 350
Salt Lake City, UT 84180-1203

Re: Increase Rider for Bond no. 9298055
Amax Coal Company

Dear Ms. Grubaugh-Littig:

Attached please find the original of the above referenced rider, a copy was faxed to you February 8, 1996.

Please execute this rider and return a signed copy of this letter as an acceptance of the rider.

If you need additional information, please feel free to contact me at (303)643-5116.

Sincerely,

Mary Wong
Risk Consultant

enclosure

Acceptance Signature

2/15/96
Date

CNA INSURANCE COMPANIES

CNA Plaza, Chicago, IL 60685

INCREASE — DECREASE RIDER

To be attached to and made a part of Bond No. 929 80 55, issued by the National Fire Insurance Company of Hartford, (hereinafter called the Surety), on behalf of Amax Coal Company, (hereinafter called the Principal), in favor of State of Utah, Division of Oil, Gas and Mining, and the U.S. Department of the Interior, (hereinafter called the Obligee), and dated the 31st day of January, 19 86

In consideration of the premium charged for the attached bond and other good and valuable consideration it is understood and agreed that effective the 6th day of February, 19 96 and subject to all the terms, conditions and limitations of the attached bond, the penal sum thereof shall be and the same is hereby (increased) ~~(decreased)~~ from the sum of ~~Five Hundred Five and No/100~~ Four Million Four Hundred Fifteen Thousand Six Million Seven Hundred Fifty Seven Thousand Dollars, (~~\$4,415,505.00~~), to the sum of ~~Four Hundred Fifty One and No/100~~ Four Million Four Hundred Fifteen Thousand Six Million Seven Hundred Fifty Seven Thousand Dollars, (\$6,757,451.00).

It is further understood and agreed that subject to all the terms, conditions and limitations of the attached bond, the aggregate liability of the Surety for any loss occurring prior to said date shall not exceed the sum of ~~Four Million Four Hundred Fifteen Thousand~~ Four Million Four Hundred Fifteen Thousand Five Hundred Five and No/100 Dollars, (~~\$4,415,505.00~~), or for any loss occurring subsequent to said date shall not exceed the sum of ~~Four Hundred Fifty One and No/100~~ Six Million Seven Hundred Fifty Seven Thousand Dollars, (\$6,757,451.00). In no event, however, shall the aggregate liability of the Surety exceed the larger of the aforementioned sums, it being the intent hereof to preclude cumulative liability.

Signed, sealed and dated this 6th day of February, 19 96

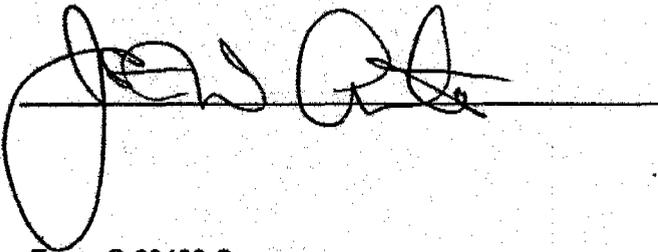
The above is hereby agreed to and accepted:

Amax Coal Company (Principal)

By: Frank J. Wood

National Fire Insurance Company of Hartford (Surety)

By: Wendy W. Stuckey (Attorney-in-Fact)
Wendy W. Stuckey



Form G-23169-C



For All the Commitments You Make[®]

National Fire Insurance Company of Hartford



For All the Commitments You Make®
Office/Chicago, Illinois

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men by these Presents, That the NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, a corporation duly organized and existing under the laws of the State of Connecticut, and having its general administrative office in the City of Chicago, and State of Illinois, does hereby make, constitute and appoint Mary C. Jones, William N. Burke, Jr., Dan W. Burton, Michelle M. Urley, Karen D. Grammer, Wendy W. Stuckey, Individually

of Houston, Texas
its true and lawful Attorney-in-Fact with full power and authority hereby conferred to sign, seal and execute in its behalf bonds, undertakings and other obligatory instruments of similar nature
- In Unlimited Amounts -

and to bind the NATIONAL FIRE INSURANCE COMPANY OF HARTFORD thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of NATIONAL FIRE INSURANCE COMPANY OF HARTFORD and all the acts of said Attorney, pursuant to the authority hereby given are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the following Resolution duly adopted on February 17, 1993 by the Board of Directors of the Company.

RESOLVED: That the Chairman of the Board of Directors, the President or any Executive, Senior or Group Vice President of the Corporation may, from time to time, appoint, by written certificates, Attorneys-in-Fact to act in behalf of the Corporation in the execution of policies of insurance, bonds, undertakings and other obligatory instruments of like nature. Such Attorney-in-Fact, subject to the limitations set forth in their respective certificates of authority, shall have full power to bind the Corporation by their signature and execution of any such instrument and to attach the seal of the Corporation thereto. The President, an Executive Vice President, any Senior or Group Vice President or the Board of Directors may at any time revoke all power and authority previously given to any Attorney-in-Fact.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 17th day of February, 1993.

RESOLVED: That the signature of the President, an Executive Vice President or any Senior or Group Vice President and the seal of the Corporation may be affixed by facsimile on any power of attorney granted pursuant to the Resolution adopted by this Board of Directors on February 17, 1993 and the signature of a Secretary or an Assistant Secretary and the seal of the Corporation may be affixed by facsimile to any certificate of any such power, and any power or certificate bearing such facsimile signatures and seal shall be valid and binding on the Corporation. Any such power so executed and sealed and certified by certificate so executed and sealed, shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Corporation.

In Witness Whereof, the NATIONAL FIRE INSURANCE COMPANY OF HARTFORD has caused these presents to be signed by its Group Vice President and its corporate seal to be hereto affixed this 8th day of August, 1994.

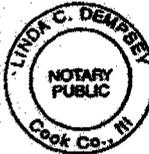


NATIONAL FIRE INSURANCE COMPANY OF HARTFORD

M. C. Vonnahme Group Vice President.

State of Illinois, County of Cook, ss:

On this 8th day of August, 1994, before me personally came M. C. Vonnahme, to me known, who, being by me duly sworn, did depose and say: that he resides in the Village of Downers Grove, State of Illinois; that he is a Group Vice President of the NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, the corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.



Linda C. Dempsey
Notary Public
My Commission Expires October 19, 1994

CERTIFICATE

I, George R. Hobaugh, Assistant Secretary of the NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the Resolutions of the Board of Directors, set forth in said Power of Attorney are still in force. In testimony whereof I have hereunto subscribed by name and affixed the seal of the said Company this 6th day of February, 1996.



George R. Hobaugh
Assistant Secretary.

P 074 976 530

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED

NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to

John Pappas

Street and No.

P.O. Drawer PMC

P.O., State and ZIP Code

VT 84501

Postage

\$

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt showing to whom and Date Delivered

Return Receipt showing to whom, Date, and Address of Delivery

TOTAL Postage and Fees

\$ 2.92

Postmark or Date



PS Form 3800, June 1985

ACT/007/004, Folder #5, N 95-413-1 VB DOGM

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUEST**, adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.