

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

SS.

County of Carbon,)

I, Ken Larson, on oath, say that I am the Publisher of the Sun Advocate, a twice-weekly newspaper of general circulation, published at Price, State 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 16th day of July, 2002, and that the last publication of such notice was in the issue of such newspaper dated the 6th day of August, 2002.

Ken G. Larson


Ken G Larson - Publisher

Subscribed and sworn to before me this 6th day of August, 2002.

Linda Thayne

Notary Public My commission expires January 10, 2003 Residing at Price, Utah

Publication fee, \$ 533.12

 LINDA THAYN
NOTARY PUBLIC - STATE of UTAH
845 EAST MAIN
PRICE, UTAH 84501
COMM. EXP. 1-10-2003

PUBLIC NOTICE

**APPLICATION FOR PHASE II BOND RELEASE
HARDSCRABBLE CANYON NO. 3 AND NO. 4 MINES
CASTLE GATE HOLDING COMPANY
CASTLE GATE MINE
PERMIT C/007/004, APPROVED 12/24/94
CARBON COUNTY, UTAH**

Castle Gate Holding Company, 999 Corporate Blvd., Linthicum Heights, MD 21090, has completed Phase II of the approved reclamation plan for Hardscrabble Canyon No. 3 and No. 4 Mine areas of the Castle Gate Mine. This is based on meeting the vegetation and water quality requirements for Phase II reclamation in accordance with the approved reclamation plan.

The reclamation of Goose Island (8.8 acres) was completed in 1984. The reclamation of the Castle Gate No. 4 Mine area (7.3 acres) was completed in 1995. The reclamation of the Castle Gate No. 3 Mine Main Canyon (20.4 acres) was completed in 1999. Resulting in a total of 36.5 acres of reclaimed area.

In accordance with the provisions of R645-301-880, of the State of Utah R645-Coal Mining Rules, notice is hereby given to the general public that Castle Gate Holding Company is applying for partial release of the performance bond posted for this operation.

The surety bond posted for the Castle Gate Mine is \$1,071,000 of which \$572,000 is designated for the Hardscrabble Canyon reclamation. Castle Gate Holding Company is seeking release of \$253,900 from the Hardscrabble Canyon portion of the bond. All earthwork and revegetation has been completed on site, except for the removal of an electrical substation. Reclamation of this area will be completed when transmission of power from the substation is no longer necessary. A permanent access road has been constructed through the site as per the approved reclamation plan.

The Hardscrabble Canyon area is located on the Standardville, Utah, U.S. Geological Survey 7.5 minute quadrangle map. The mine sites are located in Hardscrabble Canyon, approximately 4 miles northwest of Helper, Utah. Reclamation work was performed on approximately 36.5 acres of disturbed and affected area located on the following described lands:

- Township 13 South, Range 9 East, SLB&M, Utah
- Section 3: SE1/4 SW1/4
- Section 10: NW1/4NW1/4, NE1/4NW1/4, SE1/4 NW1/4, NW1/4NE1/4, SW 1/4 NE1/4, SE1/4 NE1/4

The Utah Division of Oil, Gas and Mining will now evaluate the proposal to determine whether it meets all the criteria of the Permanent Program Performance Standards according to the requirements of the Utah Coal Mining Rules.

Written comments, objections and requests for public hearing or information conference on this proposal may be addressed to:

- Utah Coal Program
- Utah Division of Oil, Gas and Mining
- 1594 West North Temple, Suite 1210
- P.O. Box 145801
- Salt Lake City, Utah 84114-5801

Closing date for submission of such comments, objections and requests for public hearing or information conference on this proposal must be submitted by September 5, 2002.

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